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This handbook is designed primarily as a general orientation aid, not an operation manual. It presents the background (mainly regulatory) of Federal procurement work, details, devices and tactics found to be successful, and calls attention to special sources of supply. Although planned as an aid for librarians who are engaged in Federal procurement work, the handbook will also be useful to nonlibrarian officials who participate in library procurement. The term library materials covers reading matter in all forms and formats as well as audio discs and tapes, computer tapes, and photos. Covered in the section on procurement by purchase are: the relationship between the librarian, procurement officer and finance officer; legal aspects; the nature of the commodity; kinds of libraries; purchase by negotiation; purchase by formal contract; Federal Supply Schedules; publisher plans; government documents; microforms; and patents. The section on non-purchase procurement includes: gifts, exchanges, government documents, depository procurement, and withdrawal of materials. A performance resume is included which identifies and arranges in order the actions generally required of librarians engaged in the procurement process. (Author/JB)

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Procurement of Library Materials

IN THE FEDERAL GOVERNMENT

An Orientation Aid Prepared for the
Federal Library Committee
by Leslie K. Falk

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

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THE FEDERAL LIBRARY COMMITTEE, WASHINGTON, D.C., 1968

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FLC Publication No. 1

Task Force on Procurement Procedures in Federal Libraries

The purpose of this Task Force is to review and compile the laws and regulations related to procurement and disposal of library materials for Federal libraries; to review existing procurement practices; to recommend revisions in law, regulations, or practice which will facilitate the procurement of library materials and contribute to the economy and efficiency of Federal libraries.

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FOREWORD

The procurement of library materials is one of the basic functions of library work and one of the least understood outside of the library and book trade communities.

The present work was undertaken in 1966 by the Federal Library Committee's Task Force on Procurement. Months were spent in defining the problem and in establishing the scope for a publication which would be manageable within the limited resources of the Committee and useful to librarians and other officials of the Federal Government. In January 1967, Mr. Leslie K. Falk, formerly Acquisitions Librarian of the National Library of Medicine, was commissioned to prepare a document according to the Task Force's specifications.

The third revision of this document was presented to a workshop of Federal librarians in May 1967. The resulting fourth revision was then presented to a small group of dealers, experienced in working with the Federal Government, and to officials of the General Services Administration.

These comments, corrections, and suggestions have, insofar as possible, been incorporated in the present version.

A letter from GSA, which gives its consent to the publication of the document as an "Orientation Aid for the Federal Librarians," indicates that further work is desirable to produce as complete and comprehensive a handbook as possible and suggests that the Federal librarians using this work should provide comments that can be used in subsequent editions. "The General Services Administration accordingly has no objection to its printing and distribution by the Federal Library Committee directly to the librarians within the Federal Government..."

Suggestions and other comments from users are requested. These should be sent to the Executive Secretary of the Federal Library Committee, Library of Congress, Washington, D.C. 20540.

We hope that this document will be useful to all Federal librarians in procurement matters. To all those who have participated in developing the work this far, the Federal Library Committee offers its grateful thanks.

L. Quincy Mumford
Chairman, Federal Library Committee
and Librarian of Congress

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I. Introduction

This brochure has been produced under the sponsorship of the Federal Library Committee as one of a series of publications having for their purpose the raising of the general level of Federal library performance. Lest the title raise false hopes, it should be pointed out at the start that it is not the purpose of the Committee to tell people how to do their work. However, there are two things that the Committee would like to do and that it regards as worthy aims. One is to report the various ways in which Federal library work is now done, discussing these in relation to their purposes, so that all may share and profit in some measure from the experience of others; the other is to set forth the regulatory basis of such practice, so that all may have sound ideas as to what the law permits.

In line with these aims, the present venture in the procurement field is designed primarily as a general orientation aid, presenting the background (mainly regulatory) of Federal procurement work, detailing devices and tactics found to be successful, and calling attention to special sources of supply. It is not an operation manual. Such manuals can only be produced by the agencies in which libraries are situated or by the libraries themselves, since the detailed guidance they provide must be in accordance with special administrative requirements and local circumstances.

The person likely to receive the greatest practical benefit from this handbook may be imagined as one with a library background but one inexperienced in Federal procurement work, who is just entering on duty in a newly established small library where little or no professional advice is at hand. For other librarians its usefulness will, in all probability, vary inversely with length of personal or institutional experience or with proximity and access to such experience. Still, even for the most fortunately situated, it should contribute to a fuller understanding of problems and handicaps in all their variety and to a more uniform coordinated approach to their solution. It should thus serve as a basis for improvements to be effected by the library community as a whole.

Although this is planned as a librarian's aid, it is offered also to nonlibrarian officials who participate in library procurement whereby they may gain a better comprehension of the special problems involved in such procurement.

Procurement is used here in the sense of acquisition by any and all methods--purchase, gift solicitation, gift receipt without solicitation, exchange, and transfer. As the disposition of books and serials which are no longer needed is a job that usually falls to the acquisitions librarian--who indeed in some libraries uses such material for exchange procurement--disposition of surplus is also discussed.

The term "library materials" comprehends reading matter in all its forms and formats--books, serials, manuscripts, "report" literature, microtexts, maps, etc.--as well as records in such forms as audio discs and tapes, computer tapes, and photos. Other library equipment items (such as cabinets, reading machines, typewriters) are not included, nor is the procurement of services such as cataloging, literature searching, etc., through contract.

The selection of library materials, although closely allied to procurement, is not within the purview of this handbook.

II. Procurement by Purchase

1. The Three Stewards

Procurement by purchase in the Federal Government must meet four basic sets of requirements. These are (1) the budgetary requirements, (2) the competitive requirements, (3) the special statutory requirements, and (4) the performance requirements.

The *budgetary* group stems from general legal controls over the handling of money and the various administrative regulations for carrying out these controls. Thus, money must normally be allotted and committed before it can be obligated, and obligated before it can be disbursed. Allotments are for a limited period of time, and the purpose of each must be designated with some degree of specificity. There must be bookkeeping to keep track of what has been allotted, obligated, and disbursed. And various reports are required.

The *competitive* requirements have for their main purpose the obtaining of a specified product at the lowest possible price.

The *special statutory* requirements are those developed in order to implement a great variety of public laws enacted to promote or preserve the interests of numerous citizen groups or of the citizenry as a majority group.

The *performance* requirement group, imposed on the supplier, involves such matters (in the case of library materials) as speed of delivery, proper packaging and mailing, attention to such details as identification of contents, satisfactory invoicing, etc., and thoroughness of follow-up services.

These requirements combine to create the peculiar problems of Federal procurement. Here we introduce them briefly to reflect on their relationship to the three principal stewards who are involved in the procurement of library materials. One of these is the *librarian*, representing what is known as the "requiring activity." The others are the *procurement officer*, who does the purchasing, representing the "procuring activity," and the *finance officer*, who allots money, processes invoices for payment, and keeps accounts.

The tripartite relationship results in some conflict of motive as between the librarian and the other two stewards. This is because the finance and procurement officers will be considerably more impressed with the importance of the first three of our requirement groups than they are with the fourth, whereas to the librarian nothing can compare in importance to dealer performance.

The librarian should understand that the other two officials are constantly concerned with statutory and fiscal controls. Ultimately the control is fiscal and is exercised above and independently of agency or department. The control begins with the apportionment of money by the Bureau of the Budget and ends (when no discrepancy is found) with the auditing of accounts by the General Accounting Office, headed by the Comptroller General, who is responsible solely to the Congress. The surveillance aspect of the GAO function is brought out in the following quotations from the U.S. Government Organization Manual:[1]

> The primary purpose of audits by the General Accounting Office is to make for the Congress independent examinations of the manner in which Government agencies are discharging their financial responsibilities . . . .
>
> To carry out these functions, the Comptroller General or his authorized representatives are authorized by law to have access to and examine any books, documents, papers, or records . . . of any department or establishment.

The fact of such surveillance will tend to put correctness of procedure first in the

minds of the responsible officials who must sign the documents. Transactions as evidenced in such documents must *be* right and they also must *look* right. Of course, as a taxpaying and otherwise responsible citizen, the librarian will also understand that controls are needed and that certain legislation must be implemented by the way public purchasing is done, but he is inclined to regard many of the administrative stipulations for carrying out the controls as of questionable rationality, or even obviously irrational, especially when they have been primarily designed for procurement of other kinds of materials. The librarian's job is to build a collection with all possible speed; that of the other officers to see that the Government's buying follows a prescribed course. The former will be impatient with what he regards as inflexible methods; the latter suspicious of corner cutting and anything that looks like a cavalier attitude towards regulations.

Still, the situation is a normal and a necessary one. Whatever difference there may be should be accepted as complementary, not inimical. The only real enemy is ignorance. An important aim of the present brochure is to increase understanding of *all* requirements by all three stewards to the end of getting the Government's business done both correctly and effectively. Surely all must accept as an article of faith that it can never be the *purpose* of the law to hamper the Government in acquiring what the Government needs, even if that is sometimes the unintentional effect.

The clear tripartite relationship seems to be the rule, but there are variants of importance to librarians. The finance office must always be separate from the procurement office, since the former serves as a check on the other. The procurement activity, however, *services* the requiring activity and is usually separate only because the requiring activities are usually multiple although with similar requirements. The procurement function may be located within the library and a librarian can be a procurement officer. This can be by delegation or by job description. Also, as explained under the topic *Negotiation*, there are methods of purchasing that involve intermediate degrees of delegation of authority.

A final word as to terminology. The term "procurement officer" is broadly functional in meaning, comprehending a variety of responsibilities involved in servicing supply needs. The procurement officer is a "purchasing officer" but he is more than that. The term is thus used in the General Services Administration's *Procurement Handbook*. In the regulations more specific functions are denoted by "contracting officer" or "purchasing and contracting officer." The general group of responsibilities is vested in the "head of a procuring activity."

2. The Law, Statutory and Administrative

Regulatory law may best be considered as a complicated kind of communication developed to meet the demands of an infinitely complicated interpersonal situation. The Federal Government may be considered as a vast corporation whose stockholders are deeply and irrevocably involved in all roles. The rules for the spending of public money (considered now quite apart from decisions as to *what* should be bought) are the collaborative product of administrators intent on thrifty buying who, at the same time, must carry out the will of citizens and legislators having interests in the spending that go well beyond the primary purpose of procuring goods needed by Government in order to do its work. The rules emerge as a compromise. Law, serving as a communication medium among these elements of Government--citizen, legislator, administrator --is what Government procurement is mostly about.

The text of the laws and basic regulations governing the operations of the Federal Government, including procurement, are set forth in the following publications, all of them published by the Government Printing Office:

A. The United States Code (U.S.C.), 7th ed., 1965, 14 vols. and Supplement, Jan. 4, 1965, to Jan. 9, 1966.

Derived from the U.S. Statutes at Large,[2] the Code "contains a consolidation and codification of all the general and permanent laws of the United States in force on Jan. 3, 1965." It is organized under 50 "titles" (3 of them reserved), each treating a general topic (e.g., 1. General Provisions, 2. The Congress, 3. The President, 4. Accounts).

B. The Code of Federal Regulations (CFR) Revised as of Jan. 1, 1966, 104 vols.

The CFR picks up the material first published in the Federal Register, organizing it under titles corresponding to those of the U.S.C. (but with differences). *The Federal Procurement Regulation System* forms Title 41, Subtitle A, of the CFR, which occupies five volumes and part of a sixth (Subtitle B, "Other provisions relating to public contracts," completes the sixth volume.) The FPR System is not made mandatory on the Department of Defense; hence there are also the *Armed Services Procurement Regulations* (ASPR), forming Title 32, Parts 1-39, of the CFR, contained in one volume.

C. The District of Columbia Code (D.C.C.) 1961 edition. 3 vols. and Suppl. V, 1966, containing laws Jan. 3, 1961 to Jan. 9, 1966.

The organization does not correspond to that of Items A and B.

D. The Federal Register (F.R.)

This daily publication (Tuesday to Saturday) gives the Executive Orders, Presidential Proclamations, and announcements of rules and regulations of the Government which (in the words of the preface to the first edition of the CFR) "have general applicability and the force of law."

The Code of Federal Regulations presents administrative law,[3] the United States Code, statutory law. On the fringes of administrative law are the rules and regulations implementing and interpreting the general rules in the internal operations of the agencies. Hence the officers of the Government, particularly procurement officers, are obliged to have their FPR and ASPR in the form of loose-leaf volumes, expanded and brought up to date by the inclusion of all these additional issuances.

The text of all sections of these publications that bear directly on library matters has now been extracted and presented in the *Guide to Laws and Regulations on Federal Libraries*, prepared under the auspices of the Federal Library Committee.

Based on the laws and regulations there are also interpretative guides. Two are outstanding. The General Services Administration issued its *Procurement Handbook* in 1959, a book of 271 pages which is "intended to provide nonregulatory guidance" and which "deals with general principles rather than detailed procedures." A considerable amount of the data in this handbook is, of course, dated and obsolete by now. The other is the Armed Services' *Defense Procurement Handbook* [4] issued most recently under date of July 1, 1965, a document of over 600 pages. Like the GSA guide it carries the Precautionary Statement that "it is not a regulation or directive, but it does explain the basic procurement regulations and directives--together with DOD practices for implementing them." Other departments and agencies have less elaborate publications serving the same general purpose of explaining as simply as possible the procurement processes in relation to legal requirements.

Every Federal librarian will want to cultivate an acquaintance with these sources as opportunity and occasion arise, and learn to recognize them in citation. Most of them will be found only in legal libraries or in the largest of other libraries. Fortunately the volumes needed for a general introduction to procurement are available at modest cost from the Superintendent of Documents. The *Procurement Handbook* of the General Services Administration is sold for $1.50, paperbound. For the regulatory law there are the first six volumes of Title 41 of CFR, containing Chapters 1-100 (paperbound $8.85) and, for the Department of Defense, the volume containing Part 1 to 39 of Title 32 ($ 2.75). All of these are revised as of January 1, 1967. For the librarian not in DOD the first volume of the six cited (Title 41, Ch. 1), together with the volume that gives the regulations adapted to the librarian's particular agency, may suffice. (For the organization of the volumes see Note 5.) The list of topics that precedes the text in each volume quickly directs the reader to the parts of special interest.

It should be pointed out that the Administrative Procedure Act setting up the Federal

Register System is so phrased[6] as to allow considerable latitude on the part of agencies in implementing the rules published in the F.R. and the CFR. The exception "any matter relating solely to the internal management of an agency" is obviously subject to a variety of interpretations. "Any matter" in most cases will be an administrative procedure; in other cases there may be a bearing on basic policy. In the nature of the case the effect on operational policy will be on the restrictive side. That is to say, the texts just mentioned do not instruct in everything that is, or is not, permitted. They do, however, present the basic principles as well as actual methods of purchasing and they will give the librarian better insight into the main problems and concerns of procurement people. They are recommended for general orientation[7] and for reference thereafter as needed. On June 5, 1967, the Congress, through PL 90-23, modified the Administrative Procedures Act to require explicit revelation of its regulations, procedures and policies both through publication in the *Federal Register* and by making them available for public inspection. In the long run, this may result in more uniformity in both regulation and practice.

3. Inadequacy and Obsolescence of Law

Unfortunately, as the experienced acquisition librarian will testify, few are the questions on the legitimacy of specific library procurement practices that find a ready and satisfactory answer in this huge corpus of directive and advice. One reason for the elusiveness may be found in the sheer bigness of the Federal procurement program and its dynamic expansiveness, leaving numerous areas of operation with but scant legal attention, or attention only by a tenuous inference. The U.S. Government, biggest spender in the world's history, now commits and disburses annually scores of billions of dollars to individuals and corporations for supplies, equipment, and services. The citizen demand behind this spending constantly changes in nature and (with growing affluence) in its dimensions. The body of law and regulations required to sanction and, at the same time, control this development grows sporadically and by accretion. For example, the law laid down at one time as a safeguard against a certain abuse may prove intolerably restrictive in its application to other unforeseen or disregarded situations. It may then be remedied by an amending law that simply makes an exception in the application of the original law. That is, laws are made in response to specific situations of political pressure or administrative crisis. All are generated in such numbers as to make the work of consistent codification almost humanly impossible.[8]

Since the dollar value of library materials in relation to all expenditures is not such as to command respect, it is somewhat understandable that the peculiar difficulties in operating and stocking libraries should find but little explicit recognition within the body of regulation, concerned as the latter is with the spending of billions. Ironically, it is the very fact of relatively low commercial value which should permit and facilitate simplification of procurement method (mainly by instituting exceptions) and indeed it would if only library materials were accorded the attention due them because of their role in Government. The real source of our trouble might then be sought in a basic unawareness, an obsolescence of attitude towards the materials.

A retrospective look is called for at this point. For this obsolescence of attitude could be partly founded in an absolescence of some of the legislation of the past--legislation that was expressly designed to assist libraries.

In a poorer, less dynamic, more parsimonious era than ours the reading of books and periodicals ("magazines") by public servants on Government time was viewed with suspicion.[9] A professional entering Government was supposed to have his education behind him, to carry his expertise in his head. Of course if he wanted to "better himself," well and good: he could buy his own books and read them at night. The Library of Congress and the Army Medical Library (the "National" Libraries) were indeed respected as places for serious research--research to be carried on mainly by the public. It was also understood that a few Government agencies were established for research by Government workers, much of it with an incidental need for published

material. In fact the participation of the public servant in research that required such materials was from time to time sanctioned by law. That the sanctioning was for specific situations[10] reflects the underlying attitude of caution, and of course indicates a specific effort to override it by appeal to the Congress. Elsewhere throughout the Government during the same period the imperative need for library materials (and their organization in libraries) could not, or at least did not, wait on legislative debate, but was met by administrative action. The difference is well expressed by Strauss in his *Guide to Laws and Regulations* in a passage worth quoting here (emphases supplied):

> It is a basic rule of administrative law that no Government agency may undertake any activity on appropriated funds--such as setting up and operating a library--without authorization by the Congress. Such authorization may be contained in a special act setting up the library or authorizaing an agency to operate a library program, or *it may be found in a general functional or operational authorization that is interpreted to require or permit* establishment and operation of a library, or, an annual necessity in any event, appropriation of funds for the purpose.

This background of mixed statutory and administrative authorization--the latter in some cases a sanctioning almost by inadvertence or afterthought--leaves the role of the smaller Government library in a somewhat uncertain and ambiguous position.

In relation to the needs of the people, some of the institutionally directed legislation was marked with obsolescence at the time of its enactment. In the light of our present-day acceptance of research the obsolescence stands out conspicuously. For times have indeed changed. Research has gained the highest respectability. Knowledge is recognized as a thing subject to dynamic development, constantly renewing itself. Formal schooling is viewed as but a learning how to learn. Research in the physical and biological sciences is carried on as a multibillion dollar Government program. Numerous other fields of activity, such as management, public welfare, public relations, etc., which only yesterday attained professional stature, are rapidly taking on the characteristics of scientific disciplines. In consequence of this knowledge revolution, the essentiality of libraries, of library materials, and of high-quality library service is taken for granted by the professional groups involved, and it is not seriously questioned by the general public who provides the money. In Government administration, however, we find wide variations in attitude, resulting in a participation in library maintenance that ranges from full and enthusiastic downwards to obstructive. A more explicit recognition by the law of the library's role and of its special operating requirements regardless of hierarchical position would bring about more uniform support.

Still, it must be observed that the present body of law is by no means anti-library. Library procurement need not suffer seriously from the law as we find it if what the law already provides is well used in the library's interest. Much improvement can come through a better understanding, especially by nonlibrarians, of the importance of library materials and their peculiar characteristics as market items.

This is true even though ultimately it is undesirable that a necessary procedure or mode of doing business should be supported only by local administrative interpretation. Changes in administrative personnel carries the perpetual risk of new, unfavorable interpretation. The law falls short in its role of communication insofar as it fails to give explict recognition to an important and well defined segment of procurement goods.

4. The Nature of the Commodity

As a commodity to be procured by purchase, library materials are different in a number of ways from most items of supply and equipment. For one thing--to mention first what is probably the lone favorable characteristic--there is *little need for material specifications*. On occasion a librarian may have to decide as to binding types (e.g., "deluxe" vs regular), or between the bound or unbound condition, or between paper or microfilm, but, generally, one copy of a

book or serial is as acceptable as any other copy. This slight need for material specifications should do much to simplify the librarian's problems with the regulations, since vast reaches of the latter are almost entirely taken up with matters of quality control--inspection by experts, monitoring of manufacture, testing, etc.--all of which are irrelevant to published material.

There is, however, a burdensome requirement of *item identification.* Most libraries will acquire but one copy, or few copies, of a given title, whereas the number of different titles will range, in the course of a year's procurement activity, from several hundred in a small library to many thousands in a large library. Moreover, for adequate identification of each of these items in a requisition, an order, or an invitation to bid, many words must be used. Almost every book citation must include author, title, and imprint, and frequently other elements. The authorship is often corporate, not personal, and hence usually wordy and complicated. Also in many libraries foreign language material will be needed, and this puts an additional skill requirement on both clerical and professional staff. Identification also calls for examination on the part of the library staff prior to the requisition phase, at the point when the citation must be picked up from the bibliographical source and then searched against the library's records.

These two characteristics both derive from what may be termed *item uniqueness.* A librarian does not order "a book" or "a hundred books"; he orders specific publications. A publication is not intrinsically a physical thing; it is an intellectual or spiritual thing dispensed in a material container. Item uniqueness makes each book virtually a publisher's monopoly. These must be procured out of a total annual book production in the United States of more than 30,000 titles and an unknown world book production running into more than a hundred thousand titles, the number depending upon definitions of "book" which vary from country to country. These totals are supplemented by older titles remaining in print and by a stock out-of-print and second hand titles which greatly increases the size of the store from which libraries buy. Price becomes of less importance as a factor in competition than in the case of most other goods, whereas vendor service becomes of greater importance.

This brings us to what is probably the most important peculiarity of published material in procurement: a heavy and inextricable *involvement with service,* an involvement that up to now has seemed essentially intractable as a subject of specification. That is to say, the various ways in which a competent vendor gives wholly adequate service have not been successfully specified in invitations for bids. And there are numerous ways in which an ill-equipped and conscienceless dealer can fall short of adequate service without being subject to a categorical charge of default. Then too, gross default can escape notice while irreparable harm is being done. This is true in the case of subscriptions where service is over a period of time. Months may elapse before dealer delinquency comes to light. Also the involvement with service must take into consideration choice of purchase *method,* as the wrong method by confusing the dealer or increasing his work can result in delay or failure in delivery. The importance of vendor service is such that the librarian must regard the selection of vendor, or participation in such selection, as a natural requirement of his job, resisting any interpretation of law or regulation that results in throwing the business of the library into untried and irresponsible hands. As for the method of procurement, it should generally be the simplest and most direct method that the law allows.

5. The Kinds of Libraries

To make clear the important points of difference among libraries--important, that is, as they affect procurement--let us start by considering two extremes. One extreme is represented by an outstanding research library that has been newly recognized by an act of Congress. The act does not found the library, which is already large, accustomed to a generous budget, and universally accepted by the country's professional community for its high social purpose. The act of Congress officially declares its national stature and its independent status. Although it is attached to an Executive Department, it has no "parent organization" in that sense. Its mission is

national, even international. We will refer to this as Library A.

At the other extreme, within a Government post organized mainly for administration but with a small professional staff to conduct technological training, there is a relatively small accretion of books, pamphlets, and periodicals. This collection proves to be of considerable use to the professional staff and, as far as the status of the newly appointed librarian is concerned, it is agreed that there should be a knowledgeable person to arrange the books for ready retrieval, keep track of them as they circulate or tend to stray, issue requisitions for new material (much of it recommended by the staff), and maintain "accountability," the nuisance detail that plays no small part in complicating life in Government. This is Library B.

Our attempt to name the essential points of difference between the two situations would surely start with size: Library A is big, the other is small. Related to size (but with its own distinctive attributes) is *prestige*. Library A is widely acclaimed for its mission and has the special blessing of the highest authorities in the land; Library B is obscure with but a local and somewhat ambiguous mission. Directly derived from both size and prestige, by way of Congressional statute, is *independence*, which Library A has to a rather high degree and the other almost totally lacks. These three seem to be the essential differences.

The effect on procurement problems takes many forms. The business of Library A is worth much more than that of Library B; vendors have little economic incentive to seek out the latter; whereas they desire the business of Library A as much for its prestige value as for its profit; the chief acquisition librarian of Library A has the responsibilities of procurement officer, selects the dealers for negotiation buying, is free to travel to their places of business; in Library B it is the procurement officer who alone has the authority for selecting the vendors of library materials and who processes the requisitions for library materials submitted by the librarian together with requisitions for numerous and generally more costly items outside the library field. Also because Library A is an old one, personnel engaged in procurement have, or can refer to, a wealth of experience, and some of the most reliable vendors will have established effective relationships with the library over the years.

These are the extremes. In between there are combinations of these differences as great in number as the number of existing libraries. There are libraries that are big because their parent is big, and that have prestige by virtue of the parental prestige. Some, though large, are new, and handicapped to some degree by their newness. With some the prestige arises from the prestige of their research missions. Those concerned with running the nation's workaday affairs may take a secondary position on this basis. In some cases, impending departmental reorganization will have a temporary beclouding influence. And so on.

Allied to some of the more inherent differences just touched on is physical location--location, that is, in relation to sources of supply. Despite the advent of easy electronic communication and of jet transportation, distance still exacts its cost in money and in time. The cost in money will almost certainly bear most heavily and constitute a handicap in the case of the library already disadvantaged in the other respects mentioned. The telephone and transport bills will be most easily assumed by the library that has the favorable attributes of size or of mission prestige.

The situational elements arise from a combination of legal, political, and economic factors. Though the legal and political factors seem at first glance to predominate, their importance must not be exaggerated. In fact much of their force derives from a bugaboo quality. It is often well within the power of an installation administrator--one at a higher hierarchical level than librarian and procurement officer--to do much to simplify and step up the effectiveness of the smallest of libraries, long plagued with procurement difficulties, and still remain comfortably within the law. And, conceivably, the administrator of a large and fortunately situated library can do much to shackle his own operations unnecessarily by wrong interpretation or ignorance of regulation.

Also to be considered are a number of leveling influences. Large libraries have broad collecting responsibilities, involving numerous small and obscure publications

difficult to locate and to buy. In a few institutional instances foreign material predominates. Then too large-scale buying almost always means more recourse to the cumbersome, time-costly, and sometimes hazardous requirement of the formal contract.

Ultimately, of the differences among libraries that result in varying degrees of hardship, ready accessibility of sources of supply may prove the most intractable. Probably the greatest problem for most libraries, regardless of size, is the lack of such accessibility, but for the small and remote library this handicap bears with special severity. The organizational answer is centralized procurement, and this accounts for another group of library types, or more exactly, library-materials-procurement types. Procurement can be combined with selection at a national or regional center which serves numerous libraries lacking professional librarians or operating under a program requiring considerable uniformity of holdings. Schools, hospital-patient and armed services personnel libraries, U.S. Information Agency libraries, constitute most of the activities served. These are known as library "systems." There are other procurement centers that perform only procurement, filling requisitions that flow in from station libraries where selection is carried on both by the librarian and the local professional staff using the library. These station libraries are usually attached to research installations such as laboratories or schools of university level.[11]

There can also be centralized procurement of library materials carried on by nonlibrary personnel for nonlibrary destinations. The material is for office and laboratory use of scientists and technicians, who initiate all the requests.[12]

The small library served by the procurement center is not necessarily relieved thereby of the problems posed by slow and unreliable delivery. The procurement centers will of course have the advantages of bigness: buying library materials in quantity they will be staffed by professionals highly experienced in the ways of such procurement, costly devices for automatic processing will be justified, and this business will attract vendors. On the other hand the operational costs of formal contracting are also theirs, and in some cases, like the locally serviced small library, they are required to operate through procurement offices that are mainly concerned with other types of materials. Distance also hampers the operation of a system. Requisitions, and all communications concerning them, have farther to travel. When the procurement is for a system of school libraries, the centralized procurement is highly advantageous as the purchasing can be done well in advance of the beginning of the school year and individual titles are procured in large number.

Libraries also vary in their procurement problems according to the special nature of their missions. Some require historical documentation, for example, such as represented by manuscripts, letters, old and rare books, and photographic reproductions of such material possessed by other libraries. The various fields of learning have their peculiar procurement demands, such as that involved in law books as contrasted to economic statistics. There will be differences in urgency of demand for the new, based say on historical versus scientific emphasis. It is safe to say that the larger a library becomes, the more it is likely to embrace all such mission differences to some extent within its own walls.

Finally it should be noted that many of the differences among libraries insofar as their procurement practices are concerned are not well related to their differences in kind--that is, their difference in mission, specialty, size, prestige, independence, etc.--but more to less logical and accidental factors of a personal or historical-personal origin. Such factors are too numerous for discussion in a handbook such as this, and the discussion could result in little useful generalization.

6. Purchase Methods: Negotiation

(a) General remarks

Two main methods of purchase procurement are recognized by the Federal Government. One is by means of formal advertising, the other is without formal advertising. The latter is known as procurement by *negotiation.*

Procurement by formal advertising, involving the use of the formal contract, is designed to give all citizens the greatest possible opportunity to serve as vendors to the Government on the best possible basis of fair and impartial treatment. Posting of advertisements in public places, and other publicizing measures, are followed by the most impersonal and carefully specified procedures for making awards. In short, it is the most nearly perfect way of meeting the competitive requirements mentioned earlier. However, since it meets these requirements at a high cost in preparatory work and in time lag, and is too rigid in its terms for some types of contracting, the Government recognizes a great number of situations where less formal and more flexible methods are permitted or required.

In the procurement regulations all such informal methods are considered under "negotiation" for the sake of convenience, although some small transactions (such as by imprest funds) may be no more complicated than that of buying a newspaper. Most transactions correspond well to the common meaning. That is, a purchasing officer enters into communication with a selected vendor, with whom he discusses needs, facilities, terms of supply, etc., to the end of reaching an agreement, which, if it involves future action, is documented.

There are numerous situations permitting negotiation.[13] Only two are of practical interest to the acquisition librarian; viz. (1) when the amount in any one case does not exceed $2,500 and (2) when obtaining competition is impracticable. The principal circumstance for the second exception is the existence of but *one source of supply*. Failure to get response after advertising is also of possible library interest. A common instance of sole source is furnished by the second-hand dealer who has available out-of-print books, not known to be available anywhere else, needed by the library; another is the publisher (e.g., National Geographic) who does not distribute through dealers.[14] However, careful attention must be paid to the need for documentation required, such as supporting such negotiations with proper determinations and findings justifying use of this authority. (See FPR 1-3.210); 41 U.S.C. 252(C)10.)

The GSA and DOD regulations agree in treating purchases under $2,500 as "small purchases" and prescribe for these simplified purchase methods.

(b) Small purchases and the competitive requirement

In regard to the competitive requirement, the DOD regulations (32 CFR Sec. 3.604) distinguish between purchases not in excess of $250 and those in excess of $250 but not in excess of $2,500. The former "may be accomplished without securing competitive quotations where the prices are considered to be reasonable, but such purchases shall be distributed equitably among qualified suppliers," but in the case of the latter "reasonable solicitation of quotations from qualified sources of supply shall be made to assure that the procurement is to the advantage of the Government, price and other factors considered, including the administrative cost of the purchase." The regulation goes on to advise that solicitations shall be limited to three suppliers, one quotation being enough if two of the sources do not bid, that quotations shall generally be solicited orally unless "(a) the suppliers are located outside the local area; (b) special specifications are involved, (c) a large number of items are included in a single proposed procurement, or (d) obtaining oral quotations is not considered economical," and that "reasonableness of proposed prices may be established by comparison with previous purchases, current price lists, catalogs, advertisements, or by any other appropriate methods." Other stipulations are added as to type of written records, notification to unsuccessful suppliers, and justification for soliciting but one source when such is the case.

The GSA regulations (41 CFR 1-3.6) upon which DOD regulations and much of the following discussion are based, do not recognize the $250 limitation, but otherwise are much like those of DOD for the $250--$2,500 bracket. The note in regard to oral solicitations states "informal records should be established which will reflect clearly the propriety of placing the order at the price paid with the supplier concerned." A special point is made in regard to new sources. The belief is expressed that reasonable

competition can ordinarily be obtained within the local trade area but "new supply sources disclosed through trade journals or other media shall be continuously reviewed and, when appropriate, added to the list of available sources." There is standard form (SF 44), Purchase-Order-Invoice-Voucher which may be quite useful in small purchases as provided in FPR 1-3.605-1.

(c) Blanket orders

These are orders with dealers who agree to furnish on a "charge account" basis certain materials as required. The general circumstances permitting and favoring the use of blanket orders and instructions as to how they are set up and managed are set forth in 32 CFR 3.605 and 41 CFR 1-3.606.

In general the device has the purpose of avoiding numerous purchase orders and making it possible to procure items required on short notice, usually from local sources. A monetary limitation may be set ranging from a few hundred to several thousand dollars, but no individual call may exceed $2,500. Blanket orders with several firms at the same time are permitted and recommended in order to maintain price competition. From the librarian's point of view the access to a variety of bookstore stocks achieved by the method is of greater importance. Regulations require no particular documentation in making calls against the orders, but it may be an administrative requirement within the agency. A standard purchase order may be required by the vendor for administrative or tax exemption purposes. Convenient for conveying accurate citations to the dealer and providing records within the library and elsewhere is the 3x5 varicolored, multicopy "snap out" form. This is printed for filling in of order number, request number, date of request, citation of publication (as fully as needed), price, discount, number of copies, and name of requesting library. Invoicing by the dealer is usually done monthly.

A blanket order, like any contract, can include whatever terms are advantageous to the library and acceptable to the vendor as to delivery-period limitation or discount. There must be a statement that the library is obligated only to the extent of authorized calls. If consignments are small, as they normally are, and delivered by the dealer by mail or messenger, the handling cost per publication will usually be too high to permit much of any discount. And if out-of-the-way publications are ordered in any amount, the extra service involved is worth more.

Unless the librarian is also the procurement officer (for library materials), his participation in setting up blanket orders will usually consist in his requesting them in the first place, recommending vendors, and advising as to necessary terms. The librarian should expect to be named as the individual, or one of the individuals, authorized to make calls[15] under each such agreement involving library materials.

(d) Imprest funds

An imprest fund is a petty cash fund on which authorized employees may draw for use in making small purchases, the vendor's receipt usually serving as evidence of the transaction in the voucher file. A full definition and approved application are given in 41 CFR, Sec. 1-3.604 (or 32 CFR Sec. 3.607). Purchases may not exceed $100 for any one transaction, except for emergencies when this amount may be increased to $250.

The obvious advantage of the device is the great flexibility permitted in choice of vendor, for example, in buying single issues of periodicals from newsstands, or paying parcel-post charges, local delivery charges, etc. No purchase order is needed unless required by the vendor to grant Government discounts.

A local imprest fund cashier is required to whom the authorized employee applies with a purchase request. This cashier makes the disbursements and keeps the accounts, which are subject to audit at any time. The requirement in bonded personnel and detail of an inspecting officer are somewhat burdensome and no doubt tend to limit the setting up of such accounts.

(e) Encumbrance authorization

Not included in the CFR discussion of small purchase devices since it needs no separate legal sanction, the one called "encumbrance authorization" is used in at least

one executive department. The librarian is given an authorization in small amounts (such as $25) against which invoices of $3 or less may be submitted for payment. This is useful when an obviously low-cost item is available only by mail and is then ordered by requesting the publisher to send with bill.

(f) Procurement via specific requisition

In many small libraries which are not part of a system all requests for specific publications must be transmitted to a local procurement officer in the form of a requisition prepared by the librarian. As was indicated earlier, under the topic of *The Three Stewards,* the relationship--with its consequent channeling--is a basic one in Government for procurement generally. In the procurement of library materials, however, the role of the procurement officer is not as well defined as in the case of other materials. This is probably because library materials are neither (1) routine in the sense of essentially identical items repeatedly required, or (2) nonroutine in the sense of unusual items infrequently required. In the case of the former (e.g., paper clips, desks, manual typewriters) the expertise of such officers will be in matters of supply sources and maintenance of proper stock levels; in the case of the latter (e.g., a new duplicating device) the procurement activity serves as the meeting place where special knowledge is resolved. Expertise based on knowledge of new needs will be supplied by the requiring office; expertise based on what a particular piece of equipment can do will be supplied by the manufacturer's representative and/or by other sources of information.

Library materials do not fit either of these situations. Although they are nonroutine (that is, each item is unique as explained under the topic The Nature of the Commodity), they are required in great numbers; and there is no question of suitability or need for such items involving the procurement officer. The procurement expertise required consists almost entirely in knowledge of sources of supply--which are *numerous* and *various*--and the terms of supply.

Hence, for the requisition method to work for library materials, either (1) the procurement officer must acquire the librarian's special knowledge of sources and terms and be equipped with the requisite bibliographical tools and catalogs, or (2) each item on a requisition must be accompanied by data giving sources and terms. Cowgill,[16] in his critique of the requisition method, points out how the procurement officer's lack of expertise and necessary data leads to frustration and "tend to keep library requisitions at the bottom of his action pile," competing as they do with requisitions for desks, chairs, or typewriters, commodities with which the officer is entirely familiar. Cowgill also cites the waste in paperwork and the delay caused by transcribing items from requisition to purchase order and the routing for the contracting officer's review and signature, costs that would be present even if the librarian selected the vendor. The paperwork will of course be increased by the transmittal of source and terms data. Typically a requisition will include items to be ordered from different sources. Presenting such data requires two or three times the number of lines required for the citation alone.

If full cooperation between librarian and procurement officer is in effect, a reduction of paperwork and speedier service can be realized by the librarian's locating the source of supply, and then preparing the purchase order, but leaving to the procurement officer the filling in of identifying symbols for fund, etc.

Direct purchasing by the librarian under the blanket and imprest fund methods proves more satisfactory from the point of view of both librarian and procurement officer, simply because it permits a direct application of special knowledge. There is almost surely a greater delay involved in the requisition method and even under favorable circumstances much duplication of effort.

(g) Problems of the market place

The direct-purchasing devices just described involve delegation of authority, a delegation limited in various ways and to various degree. As mentioned earlier, the librarian can be given purchasing authority entirely apart from such purchase methods. This authority can be by delegation made by the head of the agency's procuring activity, or it can be by the addition of such duties

and responsibilities to the librarian's job. In either case library materials will be specified, and the delegation will normally include a monetary limitation of $2,500 for each transaction.

With such authority the librarian of course has as much freedom of action as he could hope for in selecting vendors and tactics of operation. At the same time the market itself and how to deal with it within the framework of law becomes his problem. He must find and engage competent suppliers whose prices are reasonably competitive. The competitive requirement, as mentioned before, is basic and is stated clearly in the Code: "All purchases and contracts, whether by formal advertising or by negotiation, shall be made on a competitive basis to the maximum practicable extent" (41 CFR 1-1.301-1). But even if there were no law, it would be irresponsible not to take the requirement for granted. Some discussion of just what constitutes competition in the case of library materials is called for here, and will be of interest to all acquisition librarians, whether or not they have the authority to procure.

Earlier in these pages considerable attention was given to what seems to be a widespread misunderstanding of the importance of library materials and what especially characterizes them as procurement items. The most important point made was the inextricable involvement with service, which procurement officers, almost wholly concerned with other types of material, are unlikely to regard as a problem. The librarian acting as procurement officer seeking to obtain materials in *substantial* quantities is bound to consider service and price as of roughly equal importance. Negotiation will not ordinarily be carried on for particular items, but with the purpose of establishing a continuing dependable relationship. Still there is no reason why a series of small purchases could not serve as a test of competence. A blanket order might provide this experience, and this could be carried on with more than one vendor at a time. If purchases are large negotiation outside the area will probably be necessary. Visits to the dealer's place of business are desirable to gain a general idea of capacity, e.g., the subject emphasis and extent of stock, and to discuss what he is willing and able to undertake in providing service and granting discounts.

Prominent among service requirements are (a) speed of delivery, (b) prompt report--solicited and unsolicited--on items not delivered, (c) correct and clear invoicing with full identification of items in relation to the order, (d) faithful follow-up action on items reporting for later delivery, (e) adequate packaging and identification in relation to order, (f) prompt correction of errors, and (g) a liberal and workable returns policy. (Some actual specifications used for these requirements are given later under the subject of the formal contract.)

What is reasonable in regard to delivery speed can be established on the basis of general experience in the library world. The experience, unfortunately, is that of wide variation. One contracting office dealing with a large wholesaler stipulates an outside limit of 60 days, and an average of 25 days for half of the material. The Federal Supply Schedule (FSS) Group 76, Part III (General Works) specifies 10-45 days for medical books, 45 days for others. Publishers vary greatly in their shipping efficiency. If the dealer can ship from his own stock, delivery within 20 days should not be considered an unreasonable expectation. It is transshipment that must be accepted as a cause of delay. Here a word is needed as to the "drop shipment," i.e., the shipment direct from publisher to the ordering office on instruction from the jobber. The device is generally frowned on for commercial books because of the loss of control by the dealer, resulting in the invoicing for materials not received. Consignments may easily go astray because of poor communication and a consequent choice by publisher of a wrong library address. There is no harm attached to its use for small materials that the dealer discovers to be available without cost.

This raises the question: Why not deal directly with publishers? One obvious answer is the multiplicity of orders, shipments, and invoices required. Another answer, less clearcut, comes from the other party to the contract. The publisher has a relative lack of interest in small Government orders. The high handling and shipping cost per item, the somewhat formidable Government purchase order, and the deferred payment, do not

combine to encourage ready service and high discounts. The problem hinges on quantity.

At Purdue University, Veenstra and Mai [17] unreservedly favor the buying of scientific and technical books from publishers instead of from a jobber, and present their experience in the form of a chart showing that it results in discounts much greater and delivery time much shorter. As far as multiplicity of papers is concerned, they point out that it is easier to correct and process a smaller invoice. The university order form, free from the legal "boilerplate" of the Government document, no doubt favors them with the publisher. That their buying is heavy is indicated in their statement that their saving with one publisher alone "in a year's time will be over $600." They continue to buy current popular titles through a jobber.

In general large-scale buying is rewarded with generous discounts. The whole discount situation is not a happy one for the librarian, who must weigh these conspicuous price factors against service factors in providing material for highly paid professionals, and providing it fully and speedily. The problem is not the lack of competent wholesalers; it is that of excluding the incompetent and improving and maintaining the performance of the competent. This requires carefully stipulated agreements as well as a sharpening of the application of the regulatory apparatus. Discussion of both performance and discounts is resumed under the subject of the formal contract.

7. Purchase Methods: The Formal Contract

(a) General remarks

Since the costs of library materials are moderate, they can generally be acquired by informal purchasing methods. The use of the formal contract will usually be limited to procurement of periodical subscriptions in large libraries, and procurement of periodicals and books in large quantities by procurement centers serving libraries in a system, or serving branch libraries of an executive department or other large agency.

The formal contract is discussed in great detail in Chapter 1 of 41 CFR, mainly in Part 2, in the other five volumes of Title 41 previously cited, and in Subchapter A of Title 32, again mainly in Part 2. There are six technical preparatory actions; viz., (1) Invitations for bids are prepared in sufficient copies, (2) Invitations for bids are mailed directly to dealers considered most likely to be interested and qualified, and posted in public places (e.g., office bulletin board and post offices), (3) Bids are received, stamped with date of receipt and stored, (4) Bids are opened at the time and place designated in the invitation, (5) Bids are abstracted, i.e., consolidated for purposes of comparison, and (6) Awards are made to qualified bidder or bidders on basis of lowest prices.

All the instructions, warnings, and recommendations considered necessary for general procurement are given and the standard forms displayed in the sources cited. The discussion here will be limited to variants in contract types required for library materials, the corresponding bidding techniques and discount systems, and performance provisions required by law and those required to meet the needs of the service.

Buying by negotiation provides ample opportunity to discuss the possibilities of the market, and the capacity of the vendor's facilities, in relation to the needs of the library or libraries. A librarian, or procurement officer, learns by negotiation. In the case of the formal contract, the invitation for bids is normally issued with no expectation of change; the invitation must set forth all the terms constituting the ultimate agreement. All the factors required must be determinable by the bidder when he prepares his bid. [18] Hence, in drafting the invitation, the procurement officer must have clear ideas as to what service features are needed and what constitutes reasonable requirements from the point of view of highly qualified suppliers. The requiring activity, which is the library or, in the case of some systems, the library materials procurement center, must be the source of these ideas. If they are not reasonable even the best qualified vendor must withdraw; if not fully and carefully stated, low bids may be submitted by vendors not equipped to provide the service, or not able to provide it at the prices bid. A bidders' conference during the solicitation period may be held by the contracting officer for the purpose of supplying more detail where needed and to provide opportunity for questions. A

notice of this must either be in the solicitation or, if need for the meeting becomes apparent later, must be sent to each name on the bidders' list.

Contracts can be for (1) specific titles, for (2) nonspecified publications of a particular publisher, or (3) nonspecified publications falling in specified categories according to discount brackets. All periodicals and other regular series items (e.g., law-reporting systems) are well adapted to specific-title contract buying because such publications though not yet published, can still be named and the quantities of copies needed will remain generally constant during the term of the contract. All contract book buying cannot be for specific titles, because to contract anew for books published during a year's time or for books needed in unexpected quantities would result in intolerable delay and multiply the cost of the contract process.

(b) The indefinite quantity contract

The "indefinite-quantity contract"[19] takes care of this continuing need for newly published books or the changing quantitative demands for older books. A typical contract will be with a large jobber, or with a publisher for any books by a certain publisher. It will specify a maximum amount (say $20,000) naming the product wanted by giving the publishers' names and the categories of books by discount brackets, giving various delivery points (when such are required), and a number of other special service provisions as agreed to in the bid. GSA Standard Form 33, July 1966, may be used for invitation, bid, and award. See Federal Procurement Regulation (41 CFR) 1-16.101. It is to be noted that the SF 33 provides for the General Provisions, SF 32 is for attachment to the SF 33 or, more generally, it is incorporated in the SF 33 by reference.

Based on this contract, delivery orders will then be issued during the term of one year, each order specifying the books wanted, number of copies, list price, appropriate discount, the contract number, the order number, order date, accounting and appropriation data, and delivery instructions as needed.

Indefinite quantity contracts while implying certain advantages to the Government, nevertheless do bind the Government to the successful contractor over a period of time for those needs outlined in the contract. It must, therefore, provide for certain contingencies such as that the Government will, except in emergencies, or in some other limiting exceptions, be obligated to use the contract to purchase all of its recurring needs of the categories of library materials enumerated within the contract for the period specified.

Certain basic provisions are printed on the contract forms originally. These will be found as "Bidding Instructions, terms, and conditions" and as "General provisions of purchase order." Most of the clauses[20] have the purpose of insuring compliance with a variety of general laws made to protect the interests of certain citizen groups, to prevent corruption, to institute and ensure humane practices, etc. Other provisions stipulating vendor conduct and technical procedure are also among those printed in on the form. Still others are then added by the procuring agency to define and sharpen the service requirements in connection with the specific type of materials to be supplied.

Among clauses in the contract to ensure compliance with statutory laws are two that need mentioning. One is in reference to the Buy American Act.[21] Library materials from abroad are clearly exempt from the terms of the former according to 41 CFR, par. 1-6.103-2, *Non-availability in the United States*. In 32 CFR 6.105, the exception is specified under Books, etc.[22]

Closely related to the Buy American Act are certain balance-of-payment restrictions observed by the Department of Defense. It is the policy of DOD to reduce overseas dollar expenditure for supplies required for use outside the United States. There are nine exceptions cited in the Defense Procurement Handbook (at IIIC5c, where a statement of the policy appears). Of these exceptions, several are applicable to library materials according to varying circumstances; viz., (ii) small purchases (not to exceed $500 in foreign cost), (v) items determined to be otherwise unavailable, (vii) purchases permitting use of excess foreign currencies of certain specified countries, (viii) items for use in Canada, and (ix) those in which a domestic preference would result in the payment of unreasonable cost.

The Small Business Act,[23] which has for its purpose the placing of a fair proportion of Government purchasing with small business concerns, does have a bearing, at least potential. The Small Business Administration "has statutory authority to certify the competency of any small business concern as to capacity and credit." Hence interagency referral may be required in certain cases of determinations by the contracting officer that a bidding firm is not responsible. A contractual clause is required specifying the contracting firm's responsibility to utilize subcontractors who qualify under the SBA program; and a notice to prospective bidders covering the SBA "set-aside" provision.[24]

The performance clauses will be considered in a moment, after a discussion of *the bid*. Since the indefinite-quantity contract considered here does not cite specific publications, bids must be calculated by the dealer in terms of his markup from the publisher's price to him. The actual bid will be expressed not in dollars but as a percentage discount from the list prices pertaining to a class or category. Publishers' discounts will vary according to quantity and according to type categories. Seven such categories are fairly well defined among American publishers; viz., (1) "trade books," which are the more popular of those published in hard covers, (2) "textbooks," i.e., those designated by the publisher as educational, including college and high-school textbooks, (3) "technical or scientific books" sold at a limited discount (exclusive of some books actually of a scientific or technical content which will be classed as trade if marketability justifies), (4) "short discount" books other than technical or scientific, (5) medical books, (6) law books, and (7) society and other non-trade publications on which no discount is normally expected.

Publishers assign their books among these categories for the retail trade, furnishing the information on percentage discounts allowed according to category and number of copies purchased to the American Book Publishers Council, which assembles it in the *Book Buyer's Handbook* for the use of the retailers. For example, one copy of a trade book may sell at a discount of 20% whereas for 25 copies 40% might be granted. The *Book Buyer's Handbook* is distributed only within the association. Information on discounts, especially important in large-scale procurement, may be obtained from the publisher. Sometimes publishers discount scales appear in *Publishers Weekly*. However, at present there is *no* effective and *economical* way for the librarian or procurement officer to audit the discounts actually received on such a sliding scale against the books actually received. Hence, the discounts must be taken largely on faith and the vendor's integrity becomes of great importance.

Specifications as to *performance* will vary according to the requirements. The following, given here in condensed form, are from actual large-scale book procurement contracts involving shipment to multiple destinations.

Condition of books. All books to be furnished hereunder must be new, clean, and not shopworn when delivered or shipped direct. Defective, mutilated, or otherwise unacceptable publications will be returned, transportation collect, to the contractor, who will promptly replace them at no additional cost to the Government.

Packaging. All books will be packaged, packed and marked in accordance with the best commercial practices to insure safe and undamaged arrival at destination. (There follow specifications as to weight and dimension limitations for each shipping unit, sealing of cartons, and strength of carton material.)

Marking. Shipments will be marked and addressed as specified in each individual order. Container labels must give the contract number, number and date of order, addressee, and the name and address of the contractor, and shall be securely affixed on the package with water resistant label adhesive. Improperly marked parcels will be returned unopened. "RUSH" and/or "URGENT" shipments will be so marked in *red* letters one or more inches high. (Variant instructions require statement of number of cartons in a shipment on the label, i.e., Box #1 of 10, etc., and state that an extra copy of the contractor's invoice or a packing list shall accompany each shipment, this also to give the quantities of books shipped and the number of cartons in the shipment.)

Latest editions. All books to be furnished by the contractor, unless otherwise specified in the order, will be of the latest edition as

of the date of delivery. The contractor will be required to notify the ordering office whenever a new edition of a book on order is in the process of being published.

Time of delivery. Completion of deliveries is needed and bidder agrees that he will normally accomplish the same within *30 calendar days* after receipt of an order. (Variant instructions may cover lapse of time permitted for reporting expected shortages, and, in the case of announced books not yet published, lapse of time between date of publisher's release and date of delivery.)

Delivery. All shipments shall be from the contractor's place of business. Shipments bearing contractor's labels and made direct from a publisher's plant will not be acceptable.

Identification of incoming books in relation to order, it should be mentioned, is of much more vital importance in the case of large-scale procurement than it is in that of procurement for a small library. The work involved in checking off individual titles probably increases geometrically with increase in size of order when numerical item identification is lacking, and the probability of error is further magnified by multicopy buying for multiple destinations. As a safeguard, one large procurement office, under its indefinite-quantity contract, sends two copies of a delivery order for each publication to the vendor with instructions (incorporated in the contract agreement) to insert one of the copies in the book to be shipped.

The origin and makeup of the delivery order in this case is of interest as a data processing device. The requiring-requisitioning activities are the offices or laboratories of scientific researchers. Each of these is asked to order, in quantities as needed, an order form known as "book requisition and purchase order," each unit consisting of seven carbon-interleafed copies ("7-part snap out"). The requiring-requisitioning office is asked to cite one publication only in the space provided by title, author, series, volume, editor, publication date, and publisher), and to give his room number, telephone, and name with signature in spaces indicated. He is also instructed not to put anything in three spaces heavily bordered in black. These are for the use of the procuring office in citing date of order, order number, contract number, name and address of vendor, official signature. This unit is then processed to become a purchasing document. One of the copies sent to the vendor carries the printed instructions: "to insure payment return this copy with publication." All books are shipped to the procuring activity and there checked off and forwarded to the requiring-requisitioning offices. This system is publicized by the use of a printed memorandum in two sheets giving detailed instructions. It should also be noted that the open-end contract with the vendor carries a strict requirement as to the insertion of the order copies in all books supplied.

(d) Periodical subscriptions

Periodical subscriptions constitute the most troublesome and hazardous type of material for procurement on contract, and require certain controls that are not needed for book procurement. For one thing, an overly optimistic subscription dealer might plan to operate entirely on money paid by the procurement office by postponing his orders to the publishers until after he had received payment. Since many journals continue to come after expiration, unrenewed subscriptions may easily escape notice. Under the contract method, prompt declaration of default and reprocurement from another source is virtually impossible. Also, the most responsible of agents loses control to a considerable extent if only because the material is mailed by publisher directly to library. The correct (meaning exact and full) address of the library may fail to be transmitted. The difficulty is of course compounded by the shifting of subscriptions from one agent to another who bids more successfully.

Libraries with a relatively small list of journals avoid the whole problem by ordering directly from the publisher under the small-purchase exceptions. In large operations direct ordering is quite impracticable and agents must be used. Controls developed and found to be effective will be reported here.

For the very large operations mechanized data processing is essential as an economic measure. One procurement office responsible for placing and renewing some 8,000 subscriptions involving 2,000 titles for delivery

to numerous offices and laboratories prepares the punched cards - one for each subscription - and follows a strict schedule, checking with addressees for confirmation of continuing need, getting a definitive list into the hands of the agent by the end of August, the agent in turn placing all subscriptions by October, and the agent then notifying each addressee that the subscription has been ordered. Amounts paid (as well as the fact of payment) are subject to monitoring by sample check. This is required because the contract (which is negotiated) is based on a fee for service added to actual payments made by the contractor to the publishers.

Another large procurement agency responsible for subscriptions (numbering some 32,000) for delivery to numerous foreign posts emphasizes frequent monitoring of the service itself. The pertinent clause reads in the open-end contract in part:

> In view of the comprehensive requirements and attendant volume of administrative detail inherent in a project of this size and nature, the Agency deems it necessary to maintain day-to-day communication with the Contractor to coordinate fully satisfactory service. The Authorized Representative of the Contracting Officer located in the Agency's main ordering office . . shall schedule frequent visits to the Contractor's headquarters . . . during the course of the contract term for purposes of contract administration, to verify and examine Contractor's Records and files pertaining to this contract, including verification of prompt placement of order, publishers' rate changes . . . etc., etc.

The operation served by this contract is complicated by the fact that the agency must submit many thousand additions to the list of subscriptions during the year. Coded punched cards for the entire list are sent to the contractor by the agency once a year. These are used by the contractor in processing orders to publishers and in preparing for the agency a printed record of orders actually placed. The bid in this case consists of a flat discount from prices shown in a bidder's price list accompanying the bid.

The operations briefly described here are of course "big time" and are presented mainly to show the type of precautions that are considered essential where special service demands and a huge investment by the Government is involved. Such tight controls will be too costly and not essential for smaller and simpler procurement activities. It will be obvious that only dealers with highly developed and well organized facilities can hope to perform successfully in the face of these rigorous demands. Performance requirements generally applicable will be discussed below under the subject *Determination of Competence*. While we are on the subject of periodical procurement, a statement is needed as to the regulatory basis of the right to place multiyear subscriptions and, in general, to pay in advance for library materials.

The statutory prohibition[25] against the advance of public money unless authorized by the appropriation, which originated early in the 19th century, was modified by an act of 1909 authorizing the Secretary of Agriculture to pay for subscriptions in advance and by another act of 1930 permitting all agencies to make advance payment for "periodicals, magazines, and newspapers." In 1961, Public Law 87-91, par. 1, extended the privilege in the following clause: "Subscriptions or other charges for newspapers, magazines, periodicals and other publications for official use of any office under the Government of the United States or the municipal Government of the District of Columbia may be paid in advance from appropriations available therefor."[26]

Guidance as to the legitimacy of multiyear subscriptions will be found in the GSA *Procurement Handbook*, p. 127,[27] where two favorable decisions of the Comptroller General are quoted. One of these states that the acts of 1909 and 1930, "do not specifically limit advance payment for subscriptions to a one-year period, and, therefore, where it is advantageous for the purpose of economy or otherwise to subscribe to newspapers, magazines, or other periodicals for longer periods payment therefor may be made from current appropriations otherwise available for such purpose."

Procurement of Multiyear Subscriptions. While it is recognized that funds for

subscriptions to periodicals and newspapers are allotted on an annual basis which normally results in subscriptions for periods of one year, there is no prohibition against procuring periodicals and newspapers on multiyear subscriptions. In furtherance of the recommendations contained in the GAO Audit Report cited above, multiyear subscriptions should be used when it is known in advance that the requirement for periodicals and newspapers will be of a continuing nature and that an advantage can be derived from entering a subscription for a period in excess of the remaining portion of the current fiscal year (as in the case of reduced rates for three-year subscriptions). Payment covering issues to be delivered during the entire subscription period may be made in advance from currently available appropriations (31 U.S.C. 530a).

In view of the above, agencies are requested to review their present methods of subscribing to periodicals and newspapers. Consideration should be given to revising the subscription method to provide for multiyear subscriptions where material savings are available. In addition, where various bureaus or offices in the same agency are subscribing to the same periodical or newspaper, consideration should be given to the consolidation of such requirements on an agency-wide basis to the extent practical, and on a multiyear basis.

(d) Determination of Competence

The material under this heading delves into areas of responsibility of bidders; a very complex subject. The brief treatment given here may be misleading unless it is recognized as being merely introductory.

The Government is not at all bound to accept any bidder on faith and assume that he can perform satisfactorily. General standards of competence are discussed in 41 CFR 1-1.310-5, and in 32 CFR, Sec. 1-903. The former reads "In order to qualify as responsible, a prospective contractor must, in the opinion of the contracting officer, meet the following standards as they relate to the particular procurement under consideration." There follow statements in regard to (1) financial requirements, (2) experience, organization, technical qualifications, (3) ability to comply with the proposed or required time of delivery or performance schedule, (4) satisfactory record of integrity, (5) ability to conform to the requirements of the Equal Opportunity Clause, and (6) qualifications and eligibility to receive an award "under applicable laws and regulations" (in reference to the Walsh-Healey Public Contracts Act, for contracts exceeding $10,000).

The section in Title 32 specifies the same requirements except that the second group (with the addition of "operational controls") is put under "Additional Standards," which are those "for production, maintenance, construction and research and development contracts" (32 CFR 1-903-2 (a) (1)). That is, the DOD regulations omit reference to organization, experience, and technical skills as specific requirements *for supplying materials*. Such an omission should seem strange to the officers responsible for the large-scale book and periodical supply operations just described.

A determination of a bidder's responsibility is required of the contracting officer before awarding a contract (41 CFR 1-1.310-6 and 32 CFR 1.904), although this determination need not be in writing for purchases of $10,000 or less. As noted above, the Small Business Administration may be useful in determining "capacity and credit" through certification of Small Business bidders. The determination may be made on the basis of the representations of the bidder himself, information on file regarding past performance, or gained from credit ratings, trade and financial journals, etc. As to the bidder's own representation the GSA *Procurement Handbook* points out (p. 59-60) that the invitation for bids may include "a requirement that bidders must furnish information on the size of their organizations, the capacity and location of service facilities, the extent of stocks maintained, and like data which may have a direct bearing on their ability to perform" or, in lieu of this, a notice that before a bid is considered for award "the Government may require the bidder to submit a statement of facts in detail as to the previous experience of the bidder in performing similar or comparable work, and of the business and technical organization and financial resources and available plant facilities, which will be used in performing the

contemplated work" and that the Government reserves the right to reject bids on the basis of such facts.

The most adverse information on file will be inclusion of a bidder's name on a "debarred, suspended, or ineligible" list. Both sets of regulations treat at length the policies and procedures governing the establishment and maintenance of records of such ineligibility. (See 32 CFR Subpart F of Ch. 1 and 41 CFR, Subpart 1-1.6.) Each executive agency and each department of DOD is required to maintain such lists, giving names, basis of authority in each case, extent of restrictions imposed, and the termination date for each debarred listing. Causes for debarment are numerous. Prominent among these are: (1) fraud incident to obtaining or attempting to obtain a public contract, (2) commission of crime indicating lack of business integrity, and (3) violation of contract provisions including "willful failure to perform" or a history or record of failure to perform in accordance with the terms of one or more contracts. Such determinations have interagency or interdepartmental acceptability. (See 32 CFR 1.604-1 (d) or 41 CFR 1-1.604 (a) (5).)

Even if a bidder is clear of record of ineligibility there of course may still remain doubt as to his ability to perform. In such a case a contracting officer may request a pre-award survey. This may or may not include an on-site evaluation, that is, an inspection of facilities and equipment with which a prospective contractor proposes to perform a contract, including interviews with contractor and plant personnel. If such a tour is planned the inclusion of a library official on the team should be considered desirable. Certainly the librarian should offer his services.

Pre-award surveys are discussed in 32 CFR 1.905-4, in 32 CFR 1.907, in 32 CFR 30.7 (Appendix K, where procedures are detailed), and pre-award on-site evaluations in 41 CFR 1-1.310-9.

In applying the regulatory standards to library materials, special criteria for book suppliers may be considered under the main topics of (1) financial resources and standing, (2) warehouse facilities, (3) book stocks, (4) operating procedures in effect, (5) staff, and (6) past performance.

Adequacy of *financial resources* would be determined on the basis of actual capital (in relation to current commitments), financial ratings, bank credit, and credit with publishers. *Warehouse facilities* would include adequacy of shelving, space and facilities for assembly, packing, and shipping. Book stock would have to be appraised in relation to the specific contract or contracts contemplated, with attention to publishers represented, number of titles and quantity of stock, proportions of trade books, technical books, etc., or juvenile and adult. *Operating procedures* involve efficiency of systems set up for meeting terms of delivery and reporting, as well as the adequacy of accounting and billing systems. *Staff* must be judged as to experience, technical knowledge, and number--all in relation to special contract requirements. The *past performance* to be appraised is that having to do with contracts for similar materials in about the same amounts and with similar servicing requirements.

8. Federal Supply Schedules and General Stores Stock Catalog

The Federal Property and Administrative Services Act of 1949, established the General Services Administration, transferring to it various functions and responsibilities formerly assigned to several other agencies, including the Treasury Department's Procurement Agency. Among the functions are the procurement and distribution of supplies and the issuing of the Federal Procurement Regulations (i.e., CFR Title 41) governing the procurement activities of other agencies with the exception of Department of Defense.

The Department of Defense is governed by the Armed Services Procurement Regulations (ASPR) whereas Civilian Agencies are governed by the Federal Procurement Regulations (FPR). DOD activities, however, have been closely linked to many services provided by other activities of the Government, principally in the area of DOD-GSA Supply Support Agreements, which are arrangements mutually agreed upon that certain classes of items will be mandatory for procurement by DOD through the facilities of GSA.

Federal Supply Schedules under the notice, and instructions to ordering activities contained in each Schedule, provide the essential implementing instructions to DOD activities

as well as all other activities of the Federal Government.

The GSA explores sources and purchases on contract vast quantities of common use supplies and equipment, maintaining stores of these at regional outlets to be issued to Federal procurement officers on requisition from the GSA Stores Stock Catalog. Included are reference books and sets in most demand. These may be requisitioned in accordance with instructions in the "GSA Guide to Sources of Supply" which is readily available upon application to the nearest GSA Regional Office serving the geographical area of agency location. Other detailed requisitioning and ordering procedures are covered in the Federal Supply Schedules as issued. In addition GSA enters into indefinite-quantity contracts with firms for "certain goods and services commonly used by a number of agencies, and which do not lend themselves to definite quantity consolidated purchasing, or to distribution through the GSA stores facilities." These contracts are made available to all Federal agencies, who consult Federal Supply Schedules (FSS) for items needed and order directly from the contractors, citing on the order form appropriate FSS symbols which identify the contract.

The placement of an order by any activity under a Federal Supply Schedule contract relieves the buyer of problems of responsibility since such responsibility determinations have been made by the Contracting Officer of the Schedule Contract. Furthermore, the concern with obtaining competition to fill a requirement is obviated by the use of the Schedule since the Comptroller General has recognized that this factor need not be considered when Schedule procurement is made (21C.G.105). For example, among the contracts there are many for published material. These are set forth in FSC Group 76, which is in three parts. Parts I and II are mandatory for use by all Federal departments and independent agencies, except that no ordering office needs to place nor any contractor needs to accept orders in the amount of $50 or less. Part I is for "books, dictionaries and other publications." The issuance for the period Feb. 1, 1966, through Jan. 31, 1967, lists some 180 titles with prices, time of delivery, and contractor from whom available. At the end of the 23-page pamphlet are listed the full names of the contractors with addresses, and with time discounts when offered. This list includes a great variety of items, such as dictionaries, directories, atlases, reference texts (e.g., medical textbooks), and all popular encyclopedias. The schedule might well be titled Reference Works. Discounts (which are not shown as such) are probably more satisfactory than can be obtained elsewhere for small shipments. Time of delivery varies widely, from two to 30 days. The largest category is 30 days, but more items fall in the categories between two and 10 days. Shorter delivery times for emergency requirements may be negotiated. Blanket orders are accepted. There are of course other provisions, such as for prompt reporting of unavailable items by vendor and shorts by recipient.

Part II of FSC Group 76 covers "Law Books and Tax and Other Regulatory Reporting Periodicals," the current issuance a booklet of 135 pages to be used through June 30, 1967. This includes all the great and costly law reporting systems (e.g., *Southeastern Digest*, 56 weeks, $325.71), together with other legal aids. The $50 minimum order limitation applies. Most are subscription items. As the distribution system of all these services is efficiently organized, prompt delivery of the successive parts may usually be assured.

Part III of FSC Group 76, titles "Books - General Works" to be used through Sept. 30, 1967, is based on four indefinite-quantity contracts with four firms. No titles are specified, only categories. There are six type categories; viz., (1) medical books, discount 20%; (2) technical books, 24%; (3) text books, 13%; (4) trade books, 33-37% (depending on quantity); (5) paperbound books, 8-20%; (6) miscellaneous publications (pamphlets, brochures of nonprofit associations listed in *the Publishers Trade List Annual*, 12-15%. In addition there are two categories by binding and processing; viz., (1) "Library bound" juveniles, and (2) technical text and trade books listed in PTLA (to be processed for loan service in libraries and accompanied by complete sets of printed catalog cards).

Recently GSA has contracted for a new type of book service known as the Lending Library Service (Industrial Group 823, Industrial Class 8231). Under the terms of this

contract the contractor agrees to supply a library with a basic group of books ranging in number of items from 100 to 5,000, referred to as the "permanent inventory," and after that, at monthly intervals, over a period of six months to a year, supply the library with additional selections of books about to be published to sustain the basic collection, from which the librarian concurrently withdraws "inactive books." The librarian makes selections for the initial permanent inventory from a checklist provided by the contractor; the "sustaining monthly selections" are those of the contractor, although the librarian is allowed some substitutions. Books supplied are limited to "current fiction and non-fiction published within one year of date of initial purchase order; have broad popular appeal directed to a varied audience and meet the highest public standards." Excluded are "textbooks, technical books, multiple volume sets, definitive biographies, poetry, drama, and how-to-do-it books." The service includes for each book an attached book pocket and card for circulating purposes, and a complete set of catalog cards.

In buying the service the librarian has a choice among 33 different quantity "items," according to the size of the permanent inventory. Pricing is then a matter of monthly charges for each such item according to turnover period ranging from six to twelve months. From the monthly costs shown, which are based on list prices, a discount of 7% is granted. Six months after their date of publication books may be purchased by the ordering activity at a discount of 75% from list price. The books bear indication of month of publication.

9. Publisher Plans

Some publishers have instituted special service plans permitting libraries to place standing orders whereby all books falling in selected categories are sent on approval as soon as they are published. At least three such arrangements are in use by Federal libraries; viz.; the Library Standing Order Plan offered by Academic Press, 111 Fifth Ave., New York, N.Y., 10003; the University, College & Special Library Selective Order Plan offered by Pergamon Press, Inc., 44-01 21st Street, Long Island City, N.Y., 11101; and the Collier Macmillan Library Service, 866 Third Ave., New York, N.Y., 11101. Some dealers also offer blanket service plans which have the advantage of providing materials from a variety of publishers. These plans seem well designed for libraries collecting comprehensively in particular categories. Although there are no restrictions on the proportion of books returned, the cost of the return shipments is borne by the library and may cancel out the advantages of early receipt and the inspection privilege unless a fairly high proportion is selected.

10. Government Documents by Purchase

(a) The Superintendent of Documents as source

Most of the publications printed at the Government Printing Office are for sale. Orders are directed to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Purchasing may be done in person at four Government bookstores in Washington, including the one in the main GPO building, and at another in Chicago. Procurement by Federal agencies does not differ from purchasing by anyone outside the Government. For small, successive purchases coupons of 5¢ denomination sold in sets of 20 are convenient. For more substantial purchases a deposit account, minimum amount $25, may be established, against which orders are placed when needed. Both coupons or deposits may be procured on a regular purchase order, or the latter may be used for an immediate transaction. Payments for material may also be made in cash from imprest funds. Government publications are also sold by some bookdealers, as they are permitted to purchase them at lower than list price for the purpose of resale. A discount of 25% is allowed to any purchaser of a hundred copies of an item, but some publications are excepted from this offer.

Federal agencies may also procure from the Superintendent of Documents by the special administrative device known as "riding the jacket." If Agency A learns that Agency B is issuing a certain publication as a job to be printed at the GPO it may put in a request for an increase in the number of copies to be printed in order to supply its own needs.

It does this by first clearing with Agency B and then instructing the Superintendent of Documents. The purchase is made by transfer of funds on Standard Form 1080. The term "Jacket" is used in reference to the particular file folder at GPO, the number of which identifies the publication needed. These prepublication requests are advantageous to the Government in reducing the production cost per copy. The jacket-rider notices are sent to the heads of agencies. The librarian will need to arrange within the agency to have such notices forwarded to the library.

The *Monthly Catalog of U.S. Publications* is the principal source of information regarding the currently published output of the Government Printing Office.[28] Prices are given for items available by purchase, and for those that can be obtained without charge the accepted channels are indicated by symbols. The list captioned "Previews" at the beginning of each issue should not be overlooked. Here are noted publications in the process of being printed for which advance orders may be placed. The Superintendent of Documents also has available at no cost price lists,[29] each presenting publications in a special field of interest.

(b) The Clearinghouse as source

The Clearinghouse of Federal Scientific and Technical Information is operated by the Institute of Applied Technology, National Bureau of Standards of the Department of Commerce. It took over the functions of the older Office of Technical Services, which were transferred from the Office of the Secretary of Commerce to NBS in January 1964, when the Clearinghouse name was adopted.

The primary function of the Clearinghouse is to make known what technical literature exists. To accomplish this purpose it publishes the *U.S. Government Research and Development Reports* (including, as Section I, the *Technical Abstract Bulletin*, and, as Section II, *Other Research Reports and Related Literature)*, the *Government-wide Index to Federal Research and Development Reports*, *Research Reviews*, and selective bibliographies on particular topics.

The *Research Reviews* and the bibliographies are distributed free by the Clearinghouse. Most of the technical report literature listed in the other sources cited is also available without cost to Federal libraries on application to the issuing agencies or to distributing centers, such as the Defense Documentation Center. These channels are explained below in the section *Non-Purchase Procurement*. Reports not available from the free sources may be purchased from the Clearinghouse, as its address, Springfield, Virginia 22151. Currently the price for a report in full size format is $3.00; for a microfiche 65¢. The *Monthly Catalog of U.S. Publications* includes Clearinghouse items as well as the GPO imprints, indicating the source by a special symbol (the farad).

In the *Monthly Catalog* the reader will notice the extensive listing of translations under the Joint Publications Research Service (JPRS). The Service, a component of the Clearinghouse, "was established in 1957 to translate under contract, for all Federal agencies, foreign documents and journals in all fields of science." The quoted portion is from *Technical Translations* (Dec. 1966), a Clearinghouse publication listing all such translations, which include material not only in the physical science and technology but also in the social sciences. The greater part of the translations are from Russian journals. Besides the Clearinghouse, the Special Libraries Translation Center (SLA), and the European Translations Center (ETC) are given as procurement sources.

In this connection it should be mentioned that the *Bibliography of Medical Translations*, published by the National Library of Medicine, ceased publication with Vol. 3, no. 24, Dec. 30, 1966, as all such citations are listed in *Technical Translations*.

11. Special Forms

(a) Microforms

As a method of circulating journal articles, microduplication is all but universal in the library world. It readily becomes a method of procurement when applied to entire volumes and sets of noncurrent journals, or to old and rare books, and is commonly used by libraries, especially those with historical responsibilities, to round out their collections by sharing resources or by buying from vendors. Copyright interests prevent its application to current material for acquisition

purposes, but in any case the costs are too great and the product too unattractive to the reader to make it competitive. Some material is now produced originally in microform and a considerable amount is produced in this form concurrently with the paper copy. Technical reports in microfiche were mentioned earlier. Still, by far the greater part of the microform offered for sale is copy from noncurrent paper publications.

A basic bibliographical source of commercial offerings is the annual catalog called *Guide to Microforms in Print*, edited by Albert J. Diaz, and published by Microcard Editions, 901 26th Street, N.W., Washington, D.C. The current issue sells for $4.00. There is also a *Subject Guide* available separately at the same price. This catalog presents the offerings of more than fifty firms. The particular microform in which a publication is available is of course specified by type and make and the dimensions are given. Dissertations are not included.

Procurement in microform is entirely applicable to dissertations, which are usually produced in few copies and lack marketability. University Microfilms, Inc., 313 N. First Street, Ann Arbor, Mich. 48103 (now a subsidiary of Xerox Corporation), supplies American dissertations on microfilm at 1-1/4¢ a page (minimum charge $3.00) and xerographic prints at 4-1/2¢ or 6-1/2¢ a page according to size. Its publication *Dissertation Abstracts* is now in two parts; viz., humanities (A) and sciences (B). They can be subscribed to singly or together.

The University of Chicago has its own microcopy service for the materials in its collection, including the University's dissertations. Special lists of the latter are issued periodically. Address: Department of Photoduplication, The University of Chicago Library, Swift Hall, Chicago, Ill. 60637.

Microcopy of the foreign material in translation known as the JPRS reports is offered for sale by two firms. *Technical Translations*, at the beginning of each issue, describes the services of Research and Microfilm Publications, P.O. Box 267, Annapolis, Md. 21404, and the Readex Microprint Corporation, 5 Union Square, New York, N.Y. 10003.

Microfilm service on Federal records is available through the facilities of GSA, National Archives and Records Service. See Federal Property and Administration Services Act, Section 505(d) and Federal Property Management Regulation, FPMR 101-11.5.

Each of the three national libraries provides microfilming or photoduplication service for materials in its own collection. That of the Library of Congress is the most extensive and is described as follows in *Library and Reference Facilities in the Area of the District of Columbia*, seventh edition, Washington, GPO, 1966.

The Photoduplication Service was organized in 1938 as a result of a grant by the Rockefeller Foundation establishing a revolving fund. Its responsibilities include supplying photoreproductions of materials in the Library's collections to Congress, other Government agencies, individuals and institutions, subject to copyright and certain other necessary restrictions.

The Photoduplication Laboratory produces photostats, electrostatic prints, photographs, microfilm, enlargement prints, color transparencies, and slides (black and white or color), blueprints, ozalid prints, etc. Price lists and order forms are available on request. Orders may be placed in person at the Business Office, which is located on the ground floor of the Annex (Room G-1009), or through the mail. The Special Services Section of the Photoduplication Service maintains a reference and searching staff to investigate the availability of requested material, prepare cost estimates, and secure materials from the collections for the laboratory. It also acts as custodian for and supplies photoduplicates of over 160,000 scientific and technical reports released through the Publication Board of the Department of Commerce, Office of Technical Services, prior to June 1, 1961. These reports were either never printed in quantity or are now out-of-print. Orders for photocopies requested under the American Documentation Institute Auxiliary Publications Program are also processed in this section.

In addition, the Photoduplication Service is the custodian of the Library's Master Negative Microfilm Collection totaling more than 90,000 reels. Of particular interest are the microfilms of the Presidential Papers, the manuscript collections in the libraries at Mt. Sinai, and the Greek and Armenian Patriarchiates in Jerusalem, Early State Records of the United States, Official Papers in the

Japanese Ministry of Foreign Affairs, and both current and retrospective files of more than 800 domestic and foreign newspapers and other serials. Detailed information about the material in these and other special collections, as well as cooperative microfilming projects, is available from the Photoduplication Service, or may be consulted in the *Microfilm Clearing House Bulletin, Newspapers on Microfilm*, and the *National Register of Microform Masters*.

(b) Patents

All United States patents and trademarks currently issued appear in the weekly *Official Gazette of the United States Patent Office*, available at $50 per year ($12 additional for foreign mailing) and single issues at $1.25. The *Gazette* contains also sections on (1) decisions in patent and trademark cases, (2) patent suits, (3) designs, and a list of patentees. The decision leaflets and the trademark section may also be subscribed to separately, the first at $6 and the second at $12.

Printed copies of separate United States patents (or photographic copy for those of older date) are available at 50¢ each, except for plant patents (in color) which are sold for $1.00 each and design patents at 20¢. Trademark registrations are also priced at 20¢. Orders should be addressed to the Commissioner of Patents, Washington, D.C. 20231.

Also available from the Commissioner are copies of foreign patents at the rate of 30¢ per page on regular order, which takes about eight or ten days. Immediate delivery orders are charged for at double this rate. As the holdings of foreign patents is incomplete at the Patent Office, many, especially among the older ones, are unavailable from this source.[30]

Payment for patents, designs, and trademarks is facilitated by the use of coupons for sale by the Commissioner. These come in pads of ten for $5, and 50 for $25 (for patents), or ten for $2, and 50 for $10 (for designs and trademarks).

III. Non-Purchase Procurement

1. Gifts

"Gift" is used here in the sense of a donation of actual material, not money.[31] Gifts may be considered in two general categories: (1) donations of individuals, and (2) material, mostly serial and pamphlet, generated by corporations, societies, and associations expressly for free distribution or with little thought of sales. The importance of the first type to libraries varies greatly according to the degree of retrospective collecting responsibility. A large historical library, such as represented by any of the national libraries, or the Presidential libraries, among others, will be perpetually interested in filling lacunae in its holdings of old and rare books, or in its journal sets, and will constantly be on the lookout for attic caches of significant letters and other manuscript material as they come to light. Within fairly strict budgetary limitations (the potential outlay has no discernible ceiling), it will buy such materials, usually at rather high cost. At the same time donations are gratefully received.

A prospective donor, if the gift is of any apparent value, will be interested in the possible income tax deduction allowed. Donations to a Government agency are deductible within the limit of 30% of the donor's adjusted gross income. The evaluation of old and rare books for this purpose is a complicated problem, but in most libraries it is considered the donor's problem. Beyond helpfulness in regard to indicating sources of prices, such as the various auction catalogs, dealers' catalogs if on hand, or compilations of such listings,[32] the librarian usually has no official responsibility. In large historical libraries, valuation appraisals may be accepted as a normal responsibility and regularly attached to some job in the organization.

In the smaller Federal library with little or no historical responsibility gifts of individuals will as a rule have only occasional interest and value. The second type of gift--including the free subscriptions, pamphlets, books prepared by associations for free distribution--is of unquestionable importance to libraries regardless of size. A nominal charge for each such item might not prove oppressive, if payment could be made out of imprest funds, or encumbrance authorizations, or made to a dealer from whom other material was regularly purchased. The cost of preparing purchase orders and processing accounts for such items singly, however, is prohibitively great. For this reason alone receipt of small materials direct from donor is always welcome.

Strauss in his *Guide to Laws and Regulations* mentions that some prominent libraries have been given the statutory right to accept gifts. This can hardly be taken to mean that others not so singled out are denied the privilege of writing "beg letters" for items unobtainable in any other way. The local agency administration may of course have its own rules regarding the phrasing of such letters and the signature they must carry.

2. Exchanges

(a) Exchange by publishing

Williams in his report of a survey of the U.S. Book Exchange[33] points out that there are "two distinct species of library exchange." He calls them "surplusage exchange" and "publishing exchange." The former utilizes the library's disposable material--duplicates and items outside its collecting scope--as currency in obtaining from other libraries books and serials it needs; the latter consists of using an agency's own publications, usually serial, for the same purpose.

To treat the latter first, publishing exchange is available to a relatively small group of libraries. Among them are the

national libraries, all of them actively engaged in producing indexes, bibliographies, and other services providing keys to their collections, and libraries attached to the departments who generally have available numerous reports and periodicals put out by the parent organization.

The most used material is serial, each title sent out in exchange for a title coming in. Best for the purpose are those of moderate value, to avoid the awkward inequity of exchanging, say a $25-a-year publication for one with a price tag of $5. It must be stressed, however, that such exchanges cannot be operated, or are not worth operating, on a strict valuation basis. Apart from the fact that accurate pairing of values is unfeasible, the economics of such direct exchange, when well established, go far beyond considerations of price tags. The real saving more often than not consists in the purchase order that need not be prepared, the correspondence with dealers that need not be written, or the invoices that need not be processed. Probably the point of greatest importance is that many periodicals--especially foreign periodicals--are simply unpurchasable. Remoteness of some editorial houses, language hurdles, insignificant profit margin for dealers, the editorial satisfaction found in dealing directly with an institution of distinction--all these undoubtedly favor exchange as a procurement method in many foreign lands.

(b) Surplusage Exchange

Exchange of surplus materials directly with other institutions is, like that of agency-publications exchange, an activity mostly confined to large libraries, and carried on with foreign partners. It is a costly activity in staff time and packing materials but a considerable proportion of the books published abroad, both old and new, will be obtained in no other way. The current items will include many *hors commerce* publications of institutions.

The Smithsonian Institution is the official agency of the United States for the international exchange of official United States scientific and literary publications. The Institution's International Exchange Service will "accept addressed packages of publications in the United States for transmission to similar organizations in foreign countries, and in return receives addressed publications from foreign sources for distribution in the United States."

The United Nations Educational, Scientific & Cultural Organization (UNESCO) promotes international exchanges as part of its mission. Its *Handbook on the International Exchange of Publications*. 3d ed., 1964, edited by Gisela von Busse, is an important reference work for librarian participants. This is supplemented by a section at the end of each issue of the *Unesco Bulletin for Libraries*.

Within our own country the exchange of surplus materials among libraries is, for the most part, carried on by way of professional associations or through the U.S. Book Exchange. In the Washington metropolitan area the Exchange and Gift Division of the Library of Congress serves as a center where substantial consignments of surplus publications are received on transfer from other Federal libraries and where selections are also made by librarians.

Associations active in carrying on exchange include the American Association of Law Libraries, the Association of College and Research Libraries (Duplicate Exchange Union), the American Theological Library Association, the Medical Library Association, and several divisions and chapters of the Special Libraries Association. The procedure varies. In the case of the MLA and the SLA Metals Division, lists of offers are solicited from members, consolidated lists are then prepared at a headquarters office and circulated for selection. The ACRL Duplicate Exchange Union requires each member to circulate its own lists.

Some libraries receiving duplicate journals and other publications--mostly unsolicited gifts--in substantial amounts and surplus to their needs establish arrangements with second-hand dealers who agree to accept any or all issues of certain titles and years, giving the library credit against future order for issues and volumes needed to complete the library's files. These libraries, or their legal counsel, have found that disposal of surplus materials for credit is legally supportable. The following citations are applicable: 41 USC 481(c), 41 CFR 101-46, 41 CFR 405, 41 CFR 407, and 41 CG 227.

(c) The United States Book Exchange

The USBE was incorporated February 26, 1948, and started operation in January 1949, inheriting the residual collection of the American Book Center for War Devastated Libraries. During its first decade it was housed in the Library of Congress; since 1958 it has occupied a large warehouse at 3335 V Street, N.E., Washington, D.C. 20018, which is the present address. Miss Alice Dulany Ball is the Executive Director. The USBE is a nonprofit operation established by librarians for the library utilization of library surplus. All three parts of the name are somewhat misleading. It has no official connection with the Federal Government, although Federal librarians participated in its founding and in its management over the years, continuing to serve as officers and board members. Of the materials handled 95% are serial, only 5% books. And it differs from the usual exchange arrangement in that charges are made for materials obtained in order to meet the costs of the central operation. There are 1,264 library members in the United States, and 300 in other countries, of which 60 are in Canada. In recent years it has distributed annually to its members well over a half million publications and in the year 1963 over two-thirds of a million.

The following quotation from an information sheet gives the basic terms of service:

> Any established library may enter into USBE's cooperative membership by a) paying a $12.00 annual membership fee, b) paying the handling fees and shipping costs on each publication requested and received from USBE and c) undertaking to send to USBE the duplicates of value which it does not otherwise require in its own collection or for other uses. A library begins to participate as soon as the librarian fills in and signs a one-page membership agreement form and pays the membership fee.

For periodicals there is a charge of $1.00 for the first issue supplied of each title requested and 60¢ for each subsequent issue of the same title if ordered at the same time, except that the $1.00 charge applies to any issue published within 12 months of the date of request. Other publications, including books, annuals, monographs, monographic supplements to serials, etc., bear a charge of $2.00 each. In addition there is a special rush searching charge; i.e., for search within 48 hours on requests marked "Rush" or telephoned in there is an extra charge *per title* of $1.00 whether or not any items are supplied.

The USBE issues lists of its offerings at monthly intervals. Book and specific-issue lists are sent out in duplicate, the librarian then transmitting selections by returning one copy with marginal checks. Lists offering serial runs have a simple form attached on which librarians can note volumes wanted. Among the older publications there are a few with the price tag increased to $3.00. In addition to the service via listings, there is a "special request" service. On 3x5-inch order forms members may send in requests for serials--single issues, broken runs, long runs--which are needed but have not been encountered on the lists. These orders may be on a one-time search basis or the request may be to keep them on back order up to 18 months.

Member librarians may also visit USBE and select books from among material that has not yet been listed.

Federal librarians may order memberships by purchase order. To pay the charges for the publications, blanket purchase orders and imprest funds may also be used.

It should be stressed that the USBE management fully recognizes the fact that some libraries will have much to contribute to the stock, whereas others will have very little. Though a record is kept of material sent in, this is primarily for statistical purposes. No listing need be made by the contributing library. Federal libraries in the District of Columbia area have the advantage of a special arrangement whereby the Library of Congress (which supplies about 10% of USBE's receipts) serves as a deposit agency for other local libraries and its deposits with USBE are on behalf of all these libraries.

3. Government Publications

(a) Technical Reports

The Clearinghouse of Federal Scientific and Technical Information as a source of

technical reports by purchase has been mentioned and also the fact that most documents of this kind can be obtained without charge. A summary of the main sources and channels follows:

Items in *Technical Abstract Bulletin* (TAB) may be requisitioned by libraries serving qualified users from the Defense Documentation Center, Cameron Station, Alexandria, Virginia 22314. National Aeronautical and Space Administration (NASA) publishes the semi-monthly *Scientific and Technical Aerospace Reports* (STAR), an abstracting and indexing journal reporting literature from worldwide sources in this field. The address for distribution of the reports listed is P.O. Box 33, College Park, Maryland 20740. The Atomic Energy Commission publishes *Nuclear Science Abstracts*, a semimonthly publication providing worldwide coverage of unclassified literature in this field. These reports are available from the Division of Technical Information Extension, U.S. Atomic Energy Commission, Oak Ridge, Tenn. 37831. All these distributing agencies provide libraries with special card forms for requesting publications.

Most Federal libraries serving technical installations will have the problem of reports with a security classification. Such publications are acquired and serviced under special regulations and procedures involving degree of classification, physical facilities, clearance of employees and readers, and need to know.

(b) Other Government publications

In the *Monthly Catalog* citations for unpriced items are signalized by one or the other of two symbols: the single dagger or the double dagger. The explanatory note for the single dagger items is: "Distribution made by issuing office. Not definitely available if not accompanied by price." For the double dagger item it is: "Printed for official use (not available for distribution)." The librarian finds the first note reassuring and easy to act on, the "not definitely available" merely suggesting limited supply and the need to act promptly. The second note is unclear as to intent, but can usually be taken to mean that there were administrative reasons for not pricing and for not assuming the costs entailed by general free distribution. All are "open" items and it is evident from an examination of the titles that the difference in treatment bears no consistent relationship to subject matter or to apparent usefulness outside the agency. (A rare exception would be the serial bulletin, like the *Smithsonian Torch*, published only for circulation among personnel.) In general the Federal librarian should assume that the double dagger items are available and that they may be requested from the agencies that issue them.

Most Congressional documents and reports are obtainable from the House or the Senate Document Room, as indicated in the *Monthly Catalog*. Committee prints may be obtained from the respective committees on application to the clerk in each case.

Many of the priced Government publications, especially those of modest cost, are also available from the issuing agency or these other sources on request.

4. Depository Procurement

The system of depository libraries was established by a law of 1895 (28 Stat. 624) to ensure the availability of certain Government documents throughout the country by distributing them free of cost to these institutions. The conditions stipulated in this enactment for the establishment of the system and for its expansion need not be set forth here. Sufficient for our purpose is mention of the revised system provided for in the Depository Library Act of 1962 (76 Stat. 355) and a quotation from the clause giving the conditions for the inclusion of Federal libraries.

> The libraries of the executive departments of the United States Military Academy, of the United States Air Force Academy, of the United States Coast Guard Academy, and of the United States Merchant Marine are constituted designated depositories of Government publications. A depository library within each independent agency may be designated upon certification of need by the head of the independent agency to the Superintendent of Documents. Additional depository libraries within executive departments and independent agencies may

be designated to receive Government publications to the extent that the number so designated shall not exceed the number of major bureaus or divisions of such departments and independent agencies. These designations shall be made only after certification by the head of each executive department or independent agency to the Superintendent of Documents as to the justifiable need for additional depository libraries. Depository libraries within executive departments and independent agencies are authorized to dispose of unwanted Government publications after first offering them to the Library of Congress and the National Archives.

The list of depository libraries given in the September 1966 issue of the *Monthly Catalog of U.S. Government Publications* (p. 158) studied with reference to the *Government Organization Manual* makes clear that of the whole number of Federal depository libraries permitted by the new law only a very small proportion are now within the system.

The rules governing the designation of depository documents, the methods of distribution, and the rules for disposition impose no great burden on the recipient library. Documents are not limited to those published by the Government Printing Office but designation is still selective. The law requires that "each component of the Government shall furnish the Superintendent of Documents with a list of its own publications not printed at the GPO" exclusive of "those required for official use only or those required for strictly administrative or operational purpose which have no public interest or educational purpose" as well as those with a security classification.

Distribution is preceded by submission of 3x5" cards to the library, each citing the title of a series publication. The cards are sent in duplicate and ordering is accomplished by returning one copy of a card for each publication desired, whereupon the library is put on the mailing list to receive all subsequently issued members of the series. There is no retention responsibility. The last sentence in the foregoing quotation from the act seems to be generally observed by simply shipping to the Library of Congress publications no longer needed.

In the *Monthly Catalog* the items destined for the depository system are indicated by a dot at the left-hand margin. Since numerous items are not so marked, it is probable that selection officers will still need to select from the catalog in order to fulfill their mission responsibilities.

5. Withdrawal of Materials

Much of the material coming into a library will be unsolicited. The items rejected as not needed by the library among such consignments require no withdrawal action as they have never joined the collection. Disposition will be made according to apparent value. Worn and unserviceable materials may be discarded. Books and periodicals of any value can be put into the exchange channels discussed earlier.

Items that have officially become a part of the library's collection and then found to be unsuitable or unserviceable must be withdrawn according to the agency's rules. In the national libraries and the departmental libraries adjusting the records represented by the public catalog and the shelflist are generally considered sufficient as withdrawal action. In smaller libraries and in the Armed Forces a document is normally required for any withdrawal action in order to relieve the accountable officer of his responsibility. Army Regulation 735-17, subject Property Accountability, Library Books, sets forth the requirements in that department.

It should be mentioned also that in libraries operating under strict accountability regulations a distinction between "equipment" and "supplies" is observed; that is, equipment enters into accountability, supplies are "expendable" (e.g., pencils and stationery). Application to published material may vary. The distinction seems to have started by classing books with equipment, unbound serials with supplies. The advent of the American paperback as a fairly normal library item tends to make the distinction as one of bound versus unbound. Unfortunately the distinction can complicate purchase procurement, as supplies and equipment will take different

fund numbers. The librarian will need to seek full agreement with finance and procurement officers on this matter.

The withdrawal of open technical report literature should involve no special procedural requirements if the amounts are moderate and of fairly recent date. The Defense Documentation Center may be interested in inspecting a major collection for possible needs among items of early date.

IV. Performance Resume

In our introduction it was pointed out that this is not designed to be an operations manual, since only administrators are authorized to issue directives and since such directives and accompanying advice must be adapted to local and special circumstances, all varying rather widely from library to library. Still, although a universal how-to-do-it book is out of the question, we may make an attempt to identify and arrange in some order the actions, or details of performance, *generally* required of librarians engaged in the procurement process; and then comment on each of these with reference to points made and issues raised in the previous sections.

There are probably nineteen items of performance worth singling out. At the management level acquisition librarians must:

(1) Determine the hierarchical position and area of authority of the library and the librarian;
(2) Comprehend the mission of the library;
(3) Determine resources and the system of allocation;
(4) Determine needs in relation to mission and resources;
(5) Explore market resources and facilities;
(6) Select suppliers;
(7) Choose and develop procurement methods;
(8) Establish suppliers' performance standards;
(9) Communicate performance standards;
(10) Organize activities involved in data processing and materials handling;

Acquisition librarians or personnel working under their direction will also:

(11) Identify and price bibliographical items;
(12) Set up bibliographical items for processing;
(13) Prepare orders and establish obligations;
(14) Prepare requisitions;
(15) Solicit publications;
(16) Exchange publications;
(17) Receive publications;
(18) Receive invoices and process them for payment;
(19) Withdraw material.

As their purpose is mainly to achieve a state of understanding, the first three items on the list are not work activities in the usual sense and would not appear as "duties" in a job description. They are included here to stress the need for over-all preliminary orientation and to direct attention to important areas of orientation. The fourth item, involving the librarian as planner, would be the first of the recognized job duties in the procurement process. The next five are of most importance in the actual execution of the program up to the data processing phase. The tenth establishes the basis for the following nine, which comprise the more routine activities involved in the preparation and manipulation of the bibliographical-data-processing devices, normally cards and forms, and in the handling of the material procured.

Let us now consider each item in turn.

(1) Determining the hierarchical position and area of authority of library and librarian.

In a well thought out, carefully developed organization, this requires little "doing." It will all be there, fully and clearly set forth, in the statement and chart of organization and in the librarian's job description. Such perfection, however, is probably a rarity. Usually numerous matters of authority, questions of who does what? or who decides

what? will be left unclear. In such cases the librarian will need to seek clarification by way of conference with the administrative officer as well as with officers at a collateral level. Probably of most practical importance in the small library is the relation of the duties of the librarian to those of the procurement officer, a matter that was broached in the discussion of The Three Stewards (II, 1) and again in discussing procurement via specific requisition (II, 6, f). Even if the hierarchical position of the library cannot be raised to provide for more freedom of action, improvement of operation may be achieved through special agreements as to library participation.

(2) Comprehending the Mission of the Library.

As in the case of the first item, the concept of library mission will vary greatly in clarity. The mission of some libraries will be the subject of explicit legal mandate, that of others a matter left in a state of ambiguity. In the discussion of the kinds of libraries (II, 5) the importance of mission was seen as related to size and prestige. Change can also bring new demands and stimulate activity and growth. The librarian must seek answers not only to the questions What purpose does the library serve? or Whom does it serve? but also What purposes should it serve by right of organizational position and location?

(3) Determining Resources and the System of Allocation.

Under present conditions of accelerated development, budgeting systems vary greatly. The library may be singled out for attention with a special budgetary item for published material, or these costs may be budgeted in with other materials and activities. In the latter case the librarian will have to determine the expected pattern of expenditure and come to an understanding regarding limitations. The system or schedule of allocation is important in view of the probability of "humps" in obligating needs. Periodical subscriptions are of special importance when the costs of a large list must be met early in the fiscal year.

(4) Determining Needs in Relation to Mission and Resources.

"Needs" here is used in the special sense of what best fulfills the mission within the bounds of available financial resources. Our concern is not with the selection of specific publications, but with types of publications such as periodical vs. books, scientific vs. popular, etc. This is of course inevitably involved with the selection program and the determinations will be made in part from selection sources.

(5) Exploring Market Resources and Facilities.

In the foregoing sections the problem of market resources has been discussed in several connections. In describing the kinds of libraries (II, 5) it was pointed out that large, independent libraries possess a wider and more effective reach over markets than do small local libraries, and that centralized procurement finds one of its justifications in its ability to bring this advantage to the small library. In the section Procurement via specific requisition (II, 6, f) the need of special knowledge of library materials was stressed. In the section Problems of the market place (II, 6, g) it was suggested that the blanket order could serve as an exploratory device and various service requirements were discussed. The special demands that large-scale procurement must exert on facilities were examined in the section on the formal contract.

These concerns of course merge with those of the next four performance items. Item No. 5 serves to fix attention on a reconnaissance requirement preliminary to selection of long-term supply sources.

(6) Selecting Suppliers.

There are library situations where the acquisition librarian has neither the authority nor any voice in vendor selection. This must be recognized as an administrative fault, since a basic principle of administration is to utilize expert and special knowledge, and the librarian is in the best position to acquire such knowledge. On the other hand, the librarian who is given the responsibility has the obligation to live up to it by not

leaving selection of vendors to one or two chance encounters with the trade. Awarding of contracts may be made after formal determination of competence.

(7) Choosing and Developing Procurement Methods.

In the small library the latitude for choice of methods is narrow. Books and periodicals must normally be purchased, small pamphlets must normally be solicited. Purchases (fortunately) will be "small" in the meaning of the regulations (II, 6, b), but here the librarian may be in the position to choose between the blanket order or the imprest fund in a given transaction. Procurement by solicitation may be developed to include numerous large pamphlets or even books that dealers find it difficult or profitless to supply.

(8) Establishing Suppliers' Performance Standards.

In the section on Problems of the market place (II, 6, g) some basic performance standards were enumerated and experience in regard to delivery time was reported. Under the subject of the formal contract (II, 7, b, c) some unusual performance standards were discussed. There it was stressed that reasonable requirements should be defined in terms of what highly qualified suppliers can do at reasonable cost.

Standards can only be established on the basis of experience or the observation of experience. They are essential whether procurement is by formal contract or negotiated small-purchase buying. The chief difference is that the latter allows for a considerable degree of trial and error, of testing of both the standards and the vendors' capabilities.

(9) Communicating Performance Standards.

The section on the formal contract (II, 7) emphasized standards *as clauses* since "all factors required must be determinable by the bidder when he prepares his bid." In addition, a bidders' conference during the solicitation period was mentioned as a device to ensure communication.

The communication requirement is also present in the case of small-purchase negotiated buying, although in less exacting degree. A supplier, eager to get himself established, may perform excellently in executing the first orders of a library even if there has been little or no preliminary discussion; the maintenance of performance will be best assured by clear agreements as to library requirements and the vendor's capacity. Of course it is essential that *unusual* requirements be discussed in advance.

(10) Organizing Activities Involved in Data Processing and Materials Handling.

This, which is a field in itself, is mentioned only in order to recognize its essential nature and its importance. The details of management--including (under organizing) planning of layout, allocation and gradation of duties, systems analysis, adoption and adaptation of data processing aids, work flow, and (under supervising) the maintaining of operations according to plan and the numerous "short-fuse" decisions commonly known as "trouble shooting"--are not the concern of the present manual. It may not be true that the field cannot be usefully discussed with general application to Federal procurement (that is, even despite the diversity of situations encountered in Government), but in any case the field is too big and *extra*-library orientation is a sufficient goal for this first effort. Performance items having to do with internal operations are enumerated and briefly discussed here only to tie in some points made earlier with the activities common to all Federal libraries that are required to complete the procurement process.

(11) Identifying and Pricing Bibliographical Items.

Since we are not concerned with selection, bibliographical sources are of interest here essentially as verification and citation-completion tools. Actually, in the use of such tools, selection is often accomplished at the same time as the other tasks. We are here considering only what is necessary to make the selected item correct and complete for effective procurement processing.

Authorship, title, edition, imprint (consisting of city, publisher, and year), overall paging (e.g., 137 p.), series relationship, and price are generally recognized as standard items. Fullness of authorship may vary in practice but inclusion of first names, and certainly at least initials, is generally accepted as sound economy. Corporate authorship must be established in some standard form. In large libraries fullness of authorship must be geared to the fullness of authorship in the public catalog to avoid mishaps in the searching process. Edition if other than the first must be stated. City is of questionable necessity in the case of prominent publishers, but only then. Year is essential. Inclusion of paging is to be recommended on basis of (1) low cost, and (2) identifying and evaluating use throughout the process that follows. Reference to a numbered series will be included. Price is essential.

(12) Setting up Bibliographical Items for Processing.

The card, one for each item, whether plain, punched for machine processing, or in a multiple-copy unit, is standard as the unit to be manipulated in alphabetizing, searching against library records, serving as the basis when transcribing to lists, and serving when filed as the record of orders outstanding or orders received. The order of elements on the card will normally be standardized to accord with cataloging practices. The conventional order is given in the comments for Item 11.

The item is then cleared against order and catalog records.

(13) Preparing Orders and Establishing Obligations.

The forms used in ordering are usually prescribed by the department or agency in which the library is situated. Bibliographical items will be typed in the fullness as given on the card, unless there are circumstances (such as an agreement with a vendor) to permit omission of some elements. Alphabetical order and numbering are both desirable for quick reference purposes. The obligation will be on the basis of an estimate.

(14) Preparing Requisitions.

As mentioned earlier (II, 6, f), in many libraries materials needed must be requisitioned from a procurement officer, who then prepares and issues orders to suppliers. Items on such a list must appear with all elements required for easy identification by the dealer. No checking by the procurement officer should be necessary.

(15) Soliciting Publications.

Under the topic Gifts (III, 1) it was indicated that active solicitation will be generally limited to pamphlets and other association and corporation publications prepared for free distribution. Form letters, sometimes designed for several different situations, are generally used. A few large institutions use copies of the original card to convey the request.

(16) Exchanging Publications.

An important difference between foreign and domestic exchange was noted earlier (III, 2). Exchange with foreign partners is generally limited to large libraries of comprehensive collecting scope. The smaller library will also generate the currency of exchange in the form of unneeded duplicates and out-of-scope material, but will find it more practicable to operate with other partners in this country through professional library associations, or through the U.S. Book Exchange. The methods of operating are indicated in II, 2, b & c.

(17) Receiving Publications.

Some aspects of receipts processing have been discussed under the topic Indefinite-quantity contract (II, 7, b). In the case of small-purchase procurement the hazards of erroneous clearance are not great, but still a normal service expected and required of the dealer is identification by order number of all items within shipments and as listed on invoices. Clearance will consist of verification of each item as fulfilling the order, the receipting of the order cards, and their transfer from an orders-outstanding to an orders-received file.

(18) Receiving Invoices and Processing Them for Payment.

Prompt and satisfactory invoicing must be recognized as a service requirement, and should have been made a matter of agreement between librarian and vendor under Performance, item 9. The ideal invoice is one that is easy to clear because all items thereon are (1) clearly identified in relation to order, (2) correctly priced, and (3) received.

(19) Withdrawing Material.

This subject was treated, probably too briefly, in II, 5. Beyond mentioning the two main approved methods for meeting the accountability requirement: (1) by removing catalog cards and appropriately stamping the shelf-list cards, or (2) by (in addition) preparing a document listing such items to be signed by the officer designated in the regulations, there seems to be little that can be said of general application. As for the differential definition, there seems to be general agreement that what is bound is accountable property, but there is less agreement as to the status of the unbound but bindable item (e.g., the paperback book). The older distinction as between books and volumes on one hand, as accountable, and unbound periodical issues on the other, as nonaccountable, is probably fairly easy to live with. It must be kept in mind that accountability represents the effort to maintain an official record of as great a proportion of Government property as can be done at reasonable cost. What is nonaccountable is still property and the officer in charge is responsible for it.

In regard to processing for withdrawal, cancellation stamping of ownership marks is a sensible precaution for both bound and unbound materials, as it protects both the library and succeeding handlers. A simple "withdrawn" rubber stamp serves the purpose in some installations; in others the indication of library in brief form is added.

Notes

[1] United States Government Organization Manual, 1966/67. Washington, D.C., Office of the Federal Register, General Services Administration. p. 35.

This is an essential tool for the Federal librarian, and is widely distributed through official channels. The issue cited is sold by the Superintendent of Documents for $2.00, paperbound. The basic authority of GAO appears in 31 U.S.C. 74.

[2] The Statutes at Large contain the laws and concurrent resolutions and are published for each Congressional session. Volume 79, published in 1966, contains the enactments of the 89th Congress. Citations are by volume and page number (e.g., 30 Stat. 316). The laws first appear separately as "slip laws."

[3] "Administrative law" is here used with the meaning "administratively-generated law." Two quotations will help clarify the relationship to statutory law:

"*Rule making.* - The enforcement of almost all the laws by Congress depends upon the rules which some administrative body has to make. This rule-making process is commonly referred to as 'filling in legislative details', but the 'details' are an integral part of the statute and are enforceable as such in courts of law. These rules may implement statutes carrying out the political, proprietary, fiscal, benefactory, and police functions of the Government or they may relate to the regulation of such diverse interests as public utilities, banking, insurance, finance, industry, the professions, and the public health and morals." - Rinehart, John Swenson, in *Federal Administrative Law* (New York, Ronald Press, 1952) p. 60-61.

"'Administrative law' is based upon the commonsense recognition of the fact that business has to be transacted with reasonable expedition. And in the enormously complicated affairs of the Government this can only be done by the delegation by Congress of some authority to the agencies and people who actually must transact business." - Price, Miles Oscar, *Effective Legal Research* (New York, Prentice Hall, 1953), p. 134.

It should be mentioned that in the law textbooks "administrative law" is generally limited in meaning to powers and procedures of administrative agencies and judicial review and does not include *substantive* law produced by the agencies. But this leaves us with no satisfactory term in referring to the latter.

[4] The *Defense Procurement Handbook* is not available for public distribution, but should be accessible at all DOD posts.

[5] The contents and prices of the six volumes containing Title 41, Subtitle A of the CFR are as follows: (1) ch. 1, of general scope, 652 p., $2.00; (2) ch. 2-4, FAA, HEW, Agriculture, 320 p., $1.00; (3) ch. 5-5D, GSA, 183 p., 60¢; (4) ch. 6-17, State, AID, VA, AEC, Treasury, Coast Guard, Commerce, Interior, 670 p., $2.00; (5) ch. 18, NASA, 685 p., $2.00; (6) ch. 19-100, USIA, OEO, Post Office, 176 p., $1.25. Prices are for the revision as of January 1, 1967, in paperbound volumes for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Also for sale by the Superintendent is Title 32, Parts 1 to 39, containing the ASPR. This, also revised as of January 1, 1967, is a volume of 993 p., priced at $2.75, paperbound.

The Army Procurement Procedure (APP), which contains the administrative deviations from ASPR for the Department of the Army, is published as Subchapter G of Chapter V (Parts 590-699) of Title 32, Subtitle A. The Air Force Procurement Instruction (AFPI) contains the deviations for that department and is published as Subchapter W of Chapter VII (Parts 1000-1099) of Title 32, Subtitle A.

[6] See 5 U.S.C., par. 1002.

[7] For a fuller orientation in the publishing of Federal law, the librarian will find the following books especially useful: (1) *Effective Legal Research* by Miles O. Price and Harry Bitner (cited in Note 3, later published in a student edition by Little, Brown) and (2) *Government Publications and Their Use* by Laurence F. Schmeckebier and Roy B. Eastin, published by the Brookings Institution in 1961.

[8] The following, from the preface to the 1964 edition of the U.S. Code indicates the problem: "Inasmuch as many of the general and permanent laws which are required to be incorporated in the Code are inconsistent, redundant, and obsolete, the Committee on the Judiciary is engaged in a comprehensive project of revising and enacting the Code into law, title by title."

[9] The following from the Appropriations Act of 1898 suggests the somewhat phobic attitude. The paragraph was repealed in 1946.

"That hereafter law books, books of reference, and periodicals for use of any Executive Department, or other Government establishment not under an Executive Department, at the seat of Government, shall not be purchased or paid for from any appropriation made for contingent expenses or for any

specific or general purpose unless such purchase is authorized and payment therefor specifically provided for in the law granting the appropriation." - 30 Stat. 316, Sec. 3.

[10] Typical is the act of 1902 (43 U.S.C.A. 1928, par. 36) authorizing the purchase of books for "scientific divisions" of the Geological Survey. There are only a few such enactments in regard to library service or library materials.

[11] Bureau of Naval Personnel has such a centralized operation.

[12] The Supply Management Branch of the National Institutes of Health performs such a function.

[13] In 41 U.S.C. par. 252 (c), 15 are cited; in 10 U.S.C. par. 2304 (a) (for Department of Defense) 17 are cited. These are fully explained in 41 CFR Subpart 1-3.2 and in 32 CFR Subpart B (Sec. 3.2).

[14] See 41 CFR 1-3.203, or 32 CFR 3-203 for the $2,500 limitation, and 41 CFR 1-3.210 or 32 CFR 3.210 for the competition-impracticable exception.

[15] In the Army Procurement Procedure such authorized persons (for both blanket order calls and imprest fund buying) are called "ordering officers". See 32 CFR 591.403 and 591.452. Limits on their authority and limits on number appointed are stated in 591.452 (4).

[16] Evans, Luther H. and others. Federal departmental libraries. Washington, D.C., The Brookings Institution, ch. 8, Acquisitions, by Logan O. Cowgill, p. 58-59.

[17] Veenstra, John and Mai, Lois. When do you use a jobber? College & Research Libraries, vol. 23, p. 522-524, Nov. 1962.

[18] The GSA *Procurement Handbook* (p. 42) cites and quotes from a Comptroller General's decision (36 CG 380) bearing on this requirement.

[19] For a general description and application see 41 CFR 1-3.409 (c) or 32 CFR 3.409-3.

[20] Increasing the formidable aspect of the contract document, clauses required by the ASPR are "incorporated by reference," that is, only the clauses' short titles, their references in the ASPR, and their dates are given. The reader is referred to 32 CFR, ch. 1, part 7 (p. 385-393, Jan. 1967 rev.) for a full display.

[21] 41 U.S.C., par. 10, a-d.

[22] 41 CFR 1-6.103-2 reads: "*Nonavailability in the United States*. The Buy American Act does not apply to articles, materials, or supplies of a class or kind which the Government has determined are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality."

It is qualified by: 1-6.105 "*Excepted articles, materials and supplies*. Determinations under par. 1-6.103-2 that certain articles, materials, and supplies are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality shall be made by each agency in accordance with agency procedures."

32 CFR 6.105 has in the *List of excepted articles, materials, and supplies* the following item: "Books, trade, text, technical or scientific; newspapers; magazines; periodicals; printed briefs and films; not printed in the United States and for which domestic editions are not available."

[23] 15 U.S.C., ch. 14a (beg. par. 631).

[24] For the former see 32 CFR 1.707-3 (a) and 41 CFR par. 1-1.710-3; and for the latter 32 CFR 1.706-5 and 41 CFR 1-1.706-5. In Title 41 the set-aside requirement is qualified thus: "The entire amount of an individual procurement or class of procurements shall be set aside for exclusive small business participation where there is a reasonable expectation that bids or proposals will be obtained from a sufficient number of responsible small business concerns so that awards will be made at reasonable prices." There are also partial set-asides, discussed in par. 1.706-6 of Title 32, and in par. 1-1.706-6 of Title 41.

[25] 31 U.S.C., par. 529.

[26] 31 U.S.C., par. 530a.

[27] In the same place in the GSA *Procurement Handbook*, beginning page 126 will be found reference to the unpublished Comptroller General's opinion that indicates approval of "till forbid" subscriptions. ("Dealer has adequately organized staff to follow up issues as published, so that no gaps occur in these files of periodicals, newspapers or other serials.")

[28] Unfortunately the *Monthly Catalog* is a late source. For prompt information on legislative publications (and on the status of legislation) there are: (1) the *Digest of Public General Bills and Resolutions*, a cumulative subscription service put out by the Legislative Reference Service of the Library of Congress and for sale by the Superintendent of Documents, and (2) the *Congressional Index*, published by the Commerce Clearing House, Inc., 420 Lexington Ave., New York 10017.

The public laws are sold on a subscription basis by the Superintendent of Documents at $12.00 a session. Individual slip laws are also sold separately at varying prices, but for the latter the librarian will prefer to use the free sources mentioned on p. 81.

[29] Among the price lists, PL36, *Government Periodicals and Subscription Services* (126th ed., May 1967) probably best supplements the *Monthly Catalog* for most librarians. Procurement librarians will want to request also PL10, *Laws, Rules and Regulations* (52d ed., April 1967). Among those of more special interest are: *Census Publications* (PL70), *Commerce* (PL62), and *Scientific Tests, Standards* (PL64). There are 46 in all, and the full list appears in most of them, near the end.

[30] Foreign patents may also be ordered from foreign patent offices. A list of names will be found in *Chemical Abstracts* near its Numerical Patent Index.

[31] See Federal Property Management Regulations FPMR 101-43.313-4.

[32] The following are useful as records of *catalog* prices: McGrath, Daniel F. Bookman's price index, an annual guide to the value of rare and other out-of-print books and sets of periodicals. Detroit, Gale Research Co., Book Tower, c1964. 1,997p.

Mandeville, Mildred S., comp. The used book price guide, an aid in ascertaining current prices. Kenmore, Wash., Price Guide Publishers, 526 Kenmore Station, 1966. (z. 98028) In 3 parts.

[33] Williams, Edwin E. A serviceable reservoir. Washington, The United States Book Exchange, 1959. p. 7-8.

[34] Federal Library Committee. *The Federal Library Mission: A Statement of Principles and Guidelines.* Wash., D.C. The Comm. 1966 Contains discussion on developing mission statements.

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